Environmental Protection

April 17, 1995 10:00 AM

Wallace State Office Building, Fourth Floor Conference Room

Public Participation

10:30 A.M.

	Agenda topics	
1.	Approve Agenda	
2.	Approve Minutes of March 20, 1995	
3.	Director's Report	Larry Wilson (Information)
4.	Monthly Financial Status Report	Stan Kuhn (Information)
5.	Section 319 Project Contract with ISU Extension Service	Stan Kuhn (Decision)
6.	By-Product and Waste Search Service Contract (BAWSS) Approval	Stan Kuhn (Decision)
7.	Landfill Alternatives Financial Assistance Program Contract Approval	Teresa Hay (Decision)
8.	Iowa Business Loan Program Contract Approval	Teresa Hay (Decision)
9.	Report on Attainment of the 25% Waste Reduction and Recycling Goal	Teresa Hay (Information)
10.	Monthly Reports	Allan Stokes (Information)
11.	Proposed RuleChapter 61, Water Quality Standards COE Regional Section 404 Permits	Allan Stokes (Information)
12.	Proposed RuleChapters 20 & 22, Voluntary Operating Permit Rule Revisions	Allan Stokes (Information)
13.	Proposed RuleChapters 22 & 23, Standards for Hazardous Air Pollutants for Source Catergories	Allan Stokes (Information)
14.	Proposed RuleChapter 31, Special Provisions for Sulfur Dioxide Emissions in the Muscatine Area	Allan Stokes (Information)
15.	Proposed Contested Case DecisionJay Anderberg and Diane McKellip	Allan Stokes (Decision)

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) to 16.	Referrals to the Attorney General a) Bill Dettman (Newell)	Allan Stokes (Decision)
17.	Legislation Update	Don Paulin (Information)
18.	General Discussion	
19.	Address Items for Next Meeting	
20.	Recognition of Commissioner Service	Larry Wilson
Next Meeting Dates	May 15, 1995 June 19, 1995 July 17, 1995	

ENVIRONMENTAL PROTECTION COMMISSION

Monday, April 17, 1995						
NAME	COMPANY OR AGENCY	CITY				
(PLEASE PRINT)						
Paniel Huss Perry Beemin	Grain Processing Corp. pm Legister	Muscatine DM.				
DANUEST	GROVMARIC	PLOOMINGT ON, JC.				
Amy Couch	Sullivan & Ward	Des moines				
Scott Toung	Swith Gill	PKS catine				
Jme Mª Allista	Thompson Env. Consult.	DSM W.D.M				
MELODY FALER Richard Kelley	UHL	D&M				
John Eichelberger	Stanley, Lunde & Hunter	Muscathe				
Rod Boshet	CR Gztte	DM				
Dewis Carroll	CR Gytte Lee Newspaper	Derna				
Jenny Tyler	IA Hospital Assn.	Des Maines				

RECORD COPY April 1995

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MINUTES

OF THE

ENVIRONMENTAL PROTECTION COMMISSION

MEETING

APRIL 17, 1995

WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairperson Siebenmann at 10:00 a.m. on Monday, April 17, 1995, in the Wallace State Office Building, Des Moines, Iowa.

MEMBERS PRESENT

William Ehm

Rozanne King, Secretary

Charlotte Mohr

Kathryn Murphy

Gary Priebe

Nancylee Siebenmann, Chair

Terrance Townsend

Clark Yeager, Vice-Chair

MEMBERS ABSENT

Verlon Britt

Director Wilson reported that Commissioner Britt phoned to say he will not be able to attend the meeting as he has an annual bank meeting today.

ADOPTION OF AGENDA

The following adjustments were made to the agenda:

• Delete: Item # 16, Referrals to the Attorney General

Motion was made by Rozanne King to approve the agenda as amended. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS AMENDED

APPROVAL OF MINUTES

Chairperson Siebenmann noted that on page 19, the word "pneumatic" was incorrectly spelled as neumatic; correction will be made to the original copy.

Motion was made by Clark Yeager to approve the meeting minutes of March 20, 1995, as amended. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS AMENDED

DIRECTOR'S REPORT

Larry Wilson, Director, distributed to each Commissioner a lapel pin commemorating the 75th Anniversary of the Iowa State Parks System.

Director Wilson reported on the status of feedlot permits noting that as of April 10 the department had issued 34 permits. At the same time last year, 13 permits had been issued. He related that the interest and activity in that area is continuing to grow.

He also distributed copies of a letter he sent to the Governor in regard to air construction permits and expanded on details of the letter.

Director Wilson reviewed that at last month's meeting one of the Commissioners asked about waste tires at Rathbun, and in follow-up he confirmed that the tires are being used for fish habitat. He added that the lake has been drawn down by the Corps of Engineers, but when it is back up to normal level the tires will no longer be visible.

Director Wilson reported that he, Commissioner Priebe, and Al Stokes met with Don Grell and toured his facility last week. He related that everything is in place, fairly well maintained, and orderly. Chopping and shredding of tires is being done at Mr. Grell's facility and some of them will be used by the local landfill as part of the leachate control and lining system. Director Wilson noted that one concern the Commission needs to be aware of is that Mr. Grell is taking in a lot of tires and some of them will have to be stored outside. Mr. Grell was advised that he will need a change in his permit to do that. Mr. Wilson noted that the facility will have to be watched carefully to see that Mr. Grell moves the tires out after they are altered, so he does not build up an excess of tires. Director Wilson also reported that in the afternoon, a meeting was held with the CMET group from Council Bluffs and they expressed concern about their market. CMET related that Mr. Grell was taking discarded tires from suppliers cheaper than what they could and it was having an impact on their business.

Nancylee Siebenmann stated that she received a call from the owner of UT Tire Recycling expressing concerns with fair trade in regard to Don Grell's operation. She added that he invited the Commission to tour his operation in Des Moines.

Gary Priebe commented that CMET and UT are making fuel, which is a costly operation, and Don Grell's operation takes just a minor shredding and therefore his costs are going to be less. He added that Mr. Grell has developed markets so he can take in tires without a large processing cost.

Director Wilson also reported that Commissioners Priebe and Mohr, along with new Commissioner, Kathryn Draeger from Bronson, were confirmed by the Senate. Esther Strother, Mt. Pleasant, was not confirmed.

FINANCIAL STATUS REPORT - YTD DIVISION EXPENDITURES

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

Attached is the YTD division-level expenditure status report as of 3/31/95. There is a significant change in the Parks division as a result of settlement of an overtime issue with the Department If Labor.

DIRECTOR'S OFFICE/I&E BUREAU

EXPENSE	Actual	Budget	YTD Budget	YTD Actual	Under
CATEGORY	FY94	FY95	3/31/95	3/31/95	(Over)
PERS SERV	941,578	970,715	747,451	733,485	13,966
PERS TRV IN	36,778	53,100	35,577	27,473	8,104
STATE VEHICL	4,347	7,931	5,314	2,535	2,779
DEPRECIATION	7,755	12,640	8,469	5,240	3,229
PERS TRV OUT	8,273	9,500	6,365	8,006	(1,641)
OFF SUPPLY	75,525	104,076	69,731	57,505	12,226
FAC MAINT SU	1,028	6,000	4,020	34	3,986
EQUIP MAINT	3,540	6,850	4,590	2,980	1,610
OTHER SUPPLY	39,327	65,899	44,152	50,713	(6,561)
PRINT & BIND	299,648	293,510	196,652	140,876	55,776
UNIFORMS	306	2,150	1,441	970	471
COMMUNICATIO	22,957	26,900	18,023	15,417	2,606
RENTALS	1,287	1,500	1,005	1,357	(352)
UTILITIES	218	750	503	129	374
PROF SERV	89,165	70,568	44,458	22,246	22,212
OUTSIDE SERV	25,614	28,550	19,129	11,391	7,738
ADVER PUB	0	6,000	4,020	0	4,020
DATA PROC	13,979	14,050	9,414	4,999	4,415
REIMBURSMENT	2,060	6,175	4,137	2,913	1,224
EQUIPMENT	34,828	30,724	23,043	17,860	5,183
OTHER EXP	100	2,600	1,742	0	1,742
	1,608,313	1,720,188	1,249,233	1,106,129	143,104

ADMINISTRATIVE SERVICES DIVISION

EXPENSE CATEGORY	Actual FY94	Budget FY95	YTD Budget 3/31/95	YTD Actual 3/31/95	Under (Over)
PERS SERV	3,544,312	3,598,211	2,770,622	2728292	42,330
PERS TRV IN	36,797	48,050	32,194	23,585	8,609
STATE VEHICL	48,733	57,000	38,190	30,848	7,342
DEPRECIATION	145,319	80,500	53,935	45,980	7,955
PERS TRV OUT	4,784	7,300	4,891	6,374	(1,483)
OFF SUPPLY	314,207	315,255	211,221	226,091	(14,870)
FAC MAINT SU	2,091	21,000	14,070	240	13,830
EQUIP MAINT	45,040	52,000	34,840	26,021	8,819
OTHER SUPPLY	8,005	14,300	9,581	3,768	5,813
PRINT & BIND	21,116	14,500	9,715	14,013	(4,298)
UNIFORMS	2,460	2,500	1,675	2,111	(436)
COMMUNICATIO	98,778	97,100	65,057	53,140	11,917
RENTALS	503	500	335	184	151
UTILITIES	527	0	0	282	(282)
PROF SERV	62,018	40,000	25,200	39,389	(14,189)
OUTSIDE SERV	28,369	73,650	49,346	19,283	30,063
ADVER PUB	0	500	335	-77	412
DATA PROC	188,477	97,000	64,990	26,884	38,106
AUDITOR REIM	163,645	160,000	100,800	105,953	(5,153)
REIMBURSMENT	183,548	117,150	78,491	101,585	(23,095)
EQUIPMENT	173,698	158,508	118,881	143,692	(24,811)
OTHER EXP	383,632	165,320	110,764	0	110,764
LICENSES	0	50	34	0	34
	5,456,059	5,120,394	3,795,166	3,597,638	197,528

PARKS, PRESERVES AND RECREATION DIVISION

EXPENSE CATEGORY	Actual FY94	Budget FY95	YTD Budget 3/31/95	YTD Actual 3/31/95	Under (Over)
PERS SERV	4,378,069	4,818,078	3,709,920	3,792,444	(82,524)
SEASONAL HELP	1,278,892	1,345,012	820,457	979,238	(158,781)
PERS TRV IN	72,376	57,274	38,374	41,064	(2,690)
STATE VEHICL	212,137	204,800	137,216	144,916	(7,700)
DEPRECIATION	304,490	296,900	198,923	195,320	3,603
PERS TRV OUT	4,998	7,585	5,082	3,421	1,661
OFF SUPPLY	33,046	35,700	23,919	38,336	(14,417)
FAC MAINT SU	500,824	479,500	321,265	396,429	(75,164)
EQUIP MAINT	400,521	286,749	192,122	251,629	(59,507)
AG CONS SUPP	67,853	26,792	17,951	13,350	4,601
OTHER SUPPLY	39,315	36,194	24,250	21,408	2,842
PRINT & BIND	54,853	24,000	16,080	6,572	9,508
UNIFORMS	31,530	31,577	21,157	20,963	194
COMMUNICATIO	98,313	98,002	65,661	58,406	7,255
RENTALS	37,023	34,900	23,383	29,284	(5,901)
UTILITIES	432,202	401,951	269,307	280,683	(11,376)
PROF SERV	97,181	62,408	39,317	29,736	9,581
OUTSIDE SERV	221,882	179,852	120,501	138,358	(17,857)
ADVER PUB	1,070	1,050	704	529	175
DATA PROC	4,555	5,000	3,350	1,947	1,403
REIMBURSMENT	7,084	2,425	1,625	3,862	(2,237)
EQUIPMENT	203,645	202,000	151,500	168,662	(17,162)
OTHER EXP	776	4,700	3,149	0	3,149
LICENSES	512	697	467	94	373
	8,483,147	8,643,146	6,205,679	6,616,651	(410,972)

Note: The rangers received a \$401,037 FLSA negotiated settlement of an overtime issue paid in March. The personal services budget was increased by \$342,627 which is the amount of the transfer from the State Appeal Board for past appropriation periods. \$58,410 is being absorbed by the current budget.

FORESTS AND FORESTRY DIVISION

EXPENSE CATEGORY	Actual FY94	Budget FY95	YTD Budget 3/31/95	YTD Actual 3/31/95	Under (Over)
PERS SERV	1,700,668	1,762,827	1,357,377	1,307,629	49,748
SEASONAL HELP	93,663	110,874	67,633	48,352	19,281
PERS TRV IN	34,236	43,500	29,145	25,515	3,630
STATE VEHICL	68,031	91,000	60,970	42,692	18,278
DEPRECIATION	133,145	139,700	93,599	89,740	3,859
PERS TRV OUT	7,996	9,300	6,231	5,623	608
OFF SUPPLY	16,770	20,300	13,601	20,350	(6,749)
FAC MAINT SU	50,454	44,000	29,480	24,107	5,373
EQUIP MAINT	59,574	57,000	38,190	32,691	5,499
AG CONS SUPP	130,342	144,000	96,480	92,291	4,189
OTHER SUPPLY	39,763	39,900	26,733	6,828	19,905
PRINT & BIND	5,909	15,500	10,385	2,845	7,540
UNIFORMS	8,066	15,600	10,452	5,216	5,236
COMMUNICATIO	31,170	43,669	29,258	22,471	6,787
RENTALS	34,925	36,000	24,120	22,605	1,515
UTILITIES	28,690	37,000	24,790	18,986	5,804
PROF SERV	0	500	315	16,701	(16,386)
OUTSIDE SERV	59,777	68,500	45,895	19,402	26,493
ADVER PUB	406	2,000	1,340	140	1,200
DATA PROC	19,776	3,300	2,211	479	1,732
REIMBURSMENT	918	550	369	1,863	(1,495)
EQUIPMENT	74,077	115,931	86,948	107,302	(20,354)
	2,598,356	2,800,951	2,055,522	1,913,828	141,694

ENERGY & GEOLOGICAL RESOURCES DIVISION

EXPENSE CATEGORY	Actual FY94	Budget FY95	YTD Budget 3/31/95	YTD Actual 3/31/95	Under (Over)
PERS SERV	2,254,092	2,396,255	1,845,116	1,714,577	130,539
PERS TRV IN	20,252	39,893	26,728	11,894	14,834
STATE VEHICL	12,298	19,000	12,730	7,632	5,098
DEPRECIATION	25,560	30,500	20,435	14,135	6,300
PERS TRV OUT	41,042	66,696	44,686	29,921	14,765
OFF SUPPLY	30,407	34,560	23,155	22,172	983
FAC MAINT SU	2,284	1,700	1,139	203	936
EQUIP MAINT	3,212	8,350	5,595	1,773	3,822
PROF SUPPLY	977	5,121	3,431	412	3,019
OTHER SUPPLY	21,530	36,953	24,759	17,875	6,884
PRINT & BIND	31,317	49,700	33,299	9,197	24,102
UNIFORMS	0	1,000	670	318	352
COMMUNICATIO	40,457	45,850	30,720	25,004	5,716
RENTALS	2,194	500	335	2,413	(2,078)
UTILITIES	19,980	18,400	12,328	11,887	441
PROF SERV	767,256	1,352,826	852,280	378,603	473,677
OUTSIDE SERV	21,166	75,677	50,704	28,890	21,814
ADVER PUB	460	0	0	219	(219)
DATA PROC	13,584	22,900	15,343	3,358	11,985
REIMBURSMENT	5,306	7,330	4,911	3,600	1,311
EQUIPMENT	94,217	105,945	79,459	48,407	31,052
OTHER EXP	4,639	25,409	17,024	0	17,024
	3,412,230	4,344,565	3,104,847	2,332,490	772,357

ENVIRONMENTAL PROTECTION DIVISION

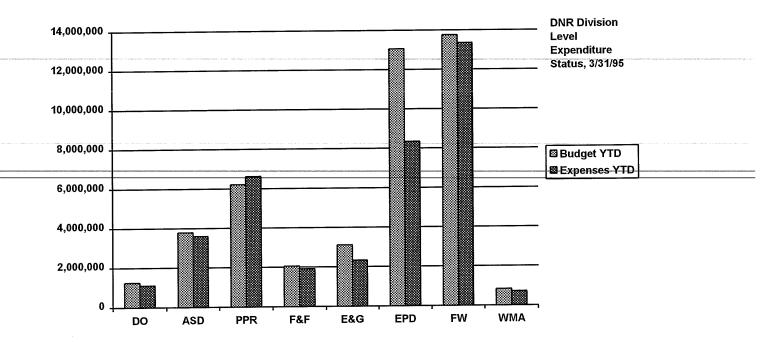
EXPENSE	Actual	Budget	YTD Budget	YTD Actual	Under
CATEGORY	FY94	FY95	3/31/95	3/31/95	(Over)
PERS SERV	7,539,956	8,584,860	6,610,342	5,930,431	679,911
PERS TRV IN	52,321	143,000	95,810	33,768	62,042
STATE VEHICL	38,614	48,500	32,495	27,047	5,448
DEPRECIATION	62,205	70,500	47,235	39,770	7,465
PERS TRV OUT	68,533	165,114	110,626	44,263	66,363
OFF SUPPLY	75,264	110,469	74,014	68,684	5,330
FAC MAINT SU	989	8,600	5,762	2,774	2,988
EQUIP MAINT	14,440	17,000	11,390	8,113	3,277
PROF SUPPLY	0	1,350	905	0	905
OTHER SUPPLY	21,959	44,050	29,514	10,556	18,958
PRINT & BIND	58,487	82,050	54,974	58,259	(3,286)
UNIFORMS	1,992	4,500	3,015	3,618	(603)
COMMUNICATIO	150,998	162,600	108,942	102,506	6,436
RENTALS	65,589	66,500	44,555	49,791	(5,236)
UTILITIES	17,622	24,811	16,623	11,562	5,061
PROF SERV	1,441,690	5,067,139	3,192,298	1,203,131	1,989,167
OUTSIDE SERV	84,580	71,080	47,624	53,611	(5,987)
INTRA TRANSF	0	404,000	270,680	0	270,680
ADVER PUB	6,536	10,600	7,102	2,996	4,106
DATA PROC	165,651	239,206	160,268	105,524	54,744
REIMBURSMENT	23,854	45,650	30,586	34,555	(3,970)
EQUIPMENT	323,387	2,772,339	2,079,254	555,843	1,523,411
OTHER EXP	8,650	23,250	15,578	0	15,578
•	10,223,317	18,167,168	13,049,590	8,346,802	4,702,788

FISH AND WILDLIFE DIVISION

EXPENSE	Actual	Budget	YTD Budget	YTD Actual	Under
CATEGORY	FY94	FY95	3/31/95	3/31/95	(Over)
PERS SERV	11,725,190	11,802,780	9,088,141	9,112,015	(23,874)
SEASONAL HELP	621,243	781,508	476,720	516,512	(39,792)
PERS TRV IN	345,439	351,280	235,358	233,213	2,145
STATE VEHICL	505,451	497,386	333,249	366,779	(33,530)
DEPRECIATION	678,010	754,723	505,664	458,055	47,609
PERS TRV OUT	30,179	40,400	27,068	26,168	900
OFF SUPPLY	329,984	334,118	223,859	232,194	(8,335)
FAC MAINT SU	401,632	491,580	329,359	206,031	123,328
EQUIP MAINT	361,965	350,436	234,792	265,661	(30,869)
AG CONS SUPP	294,457	382,075	255,990	177,495	78,495
OTHER SUPPLY	152,016	105,707	70,824	106,073	(35,249)
PRINT & BIND	157,197	224,375	150,331	159,307	(8,976)
UNIFORMS	106,426	134,675	90,232	70,899	19,333
COMMUNICATIO	236,569	207,200	138,824	209,126	(70,302)
RENTALS	56,926	73,535	49,268	35,907	13,361
UTILITIES	212,848	226,116	151,498	137,330	14,168
PROF SERV	134,334	411,009	258,936	238,806	20,130
OUTSIDE SERV	207,047	162,812	109,084	119,868	(10,784)
ADVER PUB	2,024	2,600	1,742	1,094	648
DATA PROC	69,538	54,000	36,180	50,408	(14,228)
REIMBURSMENT	68,912	68,450	45,862	22,640	23,222
EQUIPMENT	439,667	1,258,954	944,216	599,547	344,669
OTHER EXP	1,897	600	402	4,541	(4,139)
LICENSES	46	300	201	22	179
	17,138,997	18,716,619	13,757,798	13,349,691	408,107

WASTE MANAGEMENT ASSISTANCE DIVISION

EXPENSE CATEGORY	Actual FY94	Budget FY95	YTD Budget 3/31/95	YTD Actual 3/31/95	Under (Over)
PERS SERV	710,567	750,557	577,929	560,934	16,995
PERS TRV IN	27,240	34,300	22,981	19,219	3,762
PERS TRV OUT	22,096	47,200	31,624	11,811	19,813
OFF SUPPLY	6,849	26,200	17,554	7,527	10,027
EQUIP MAINT	0	3,150	2,111	380	1,731
OTHER SUPPLY	7,665	5,585	3,742	1,728	2,014
PRINT & BIND	31,417	51,324	34,387	25,228	9,159
UNIFORMS	0	100	67	0	67
COMMUNICATIO	14,989	17,500	11,725	8,350	3,375
RENTALS	889	1,550	1,039	460	579
PROF SERV	66,367	118,411	74,599	42,245	32,354
OUTSIDE SERV	9,218	14,300	9,581	2,461	7,120
ADVER PUB	1,614	2,600	1,742	0	1,742
DATA PROC	7,270	7,600	5,092	2,723	2,369
REIMBURSMENT	16,575	23,100	15,477	9,375	6,102
EQUIPMENT	0	15,700	11,775	16,378	(4,603)
OTHER EXP	4,639	5,700	3,819	0	3,819
	927,395	1,124,877	825,243	708,819	116,424



Mr. Kuhn noted that the Parks Division expenditures are up significantly because the one-time settlement with the park rangers relative to their Fair Labor Standards Act action is included in this month's report; the settlement was made last month. In another issue, Mr. Kuhn explained that DOM will be entering all state agencies into the General Accepted Accounting Procedures (GAAP) system for payroll purposes. He expanded on details of the GAAP system.



SECTION 319 PROJECT CONTRACT WITH ISE EXTENSION SERVICE

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

The Commission will be asked to approve a \$44,782.00 contract with the Iowa State University Extension Service (ISUE). The contract will be written for the period of May 1, 1995 through April 30, 1996, and will be funded using EPA Section 319 nonpoint pollution control grant funds awarded to the Department for this project.

The contract will fund the final year of a three year project to provide a part-time Communications Specialist for the on-going Northeast Iowa Demonstration and Sny Magill Hydrologic Unit Area Water Quality Projects. The duties of the specialist are to accelerate the voluntary adoption of crop and livestock BMPs that protect surface and groundwater resources through aggressive information marketing such as bi-monthly project newsletters, multi-media campaigns (newsletters, radio and television) and improved project information and education materials.

Mr. Kuhn reviewed the contract noting that the dollar amount shown in the item brief should be corrected to read \$46,278 rather than \$44,782.

Motion was made by Rozanne King to approve the Section 319 (NE Iowa Demonstration Project) Contract with ISU Extension Service at a cost of \$46, 278. Seconded by Charlotte Mohr. Motion carried unanimously.

APPROVED AS PRESENTED

BY-PRODUCT AND WASTE SEARCH SERVICE CONTRACT (BAWSS) APPROVAL

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

The By-product and Waste Search Service program is funded with solid waste tonnage fees as established in Iowa Code 455B.310. This program facilitates waste exchanges from generator industries to other industries or recyclers that can use the waste material as a raw material. Applications for the grants were reviewed by representatives from DNR, the Department of Economic Development, and the Iowa Waste Reduction Center. Four projects were selected that exceed \$25,000. Approval is requested for the following projects:

- 1) Kirkwood Community College \$51,000 for 1995-1996 (Total contract: \$101,000 for 1994-1996)
- 2) Indian Hills Community College \$51,100 for 1995-1996 (Total contract: \$101,100 for 1994-1996)
- 3) North Iowa Area Community College \$24,080 for 1995-1996 (Total contract: \$48,080 for 1994-1996)
- 4) Eastern Iowa Community College \$47,160 for 1995-1996

(A copy of the Scope of Work for each project is on file in the department's Records Center)

Mr. Kuhn reviewed details of the contract.

Charlotte Mohr, in reference to Page 14, inquired why Eastern Iowa Community College is not doing projects closer to their area rather than in NE Iowa.

Discussion followed in regard to confusing titles on the Scope of Work for North East Iowa Area Community College and Eastern Iowa Community College. Staff clarified that Eastern Iowa Community College is overseeing both projects. Charlotte Mohr asked that the heading

on Page 14 be changed to clarify more specifically the area involved. Clark Yeager asked that each individual county served by the projects be named in the Scope of Work.

Motion was made by Charlotte Mohr to approve the BAWSS contracts for Kirkwood Community College, Indian Hills Community College, North Iowa Area Community College, and Eastern Iowa Community College with the requested corrections. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS AMENDED

LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE PROGRAM CONTRACT APPROVAL

Gaye Wiekierak, Waste Management Assistance Bureau Chief, presented the following item.

From the round of thirty-five (35) applications submitted the first Monday in December 1994, ten (10) applications were selected for funding. Of these 10 applicants, 2 were awarded grants, 6 were awarded zero interest loans and 2 were awarded grants for a portion of their project and loans for the balance of their award. At this time, contracts for each project are presented to the Commission for approval. Total award for recommended projects is \$2,304,182.

Contracts presented to the Commission for approval are as follows:

By-Products Technologies, Inc. Mike Phillips, President \$50,000 - Grant

The proposed pilot project will process asphalt shingles for use by asphalt companies in road repair and new road construction. The applicant, located in the City of Keosauqua, Van Buren County, is seeking financial assistance for equipment rental, equipment modifications, wages and product testing.

The applicant has not received previous financial assistance.

Winneshiek County Linus Rothmeyer Chair, Board of Supervisors \$325,174 - Zero Interest Loan

The project involves expanding an existing recycling center and purchasing additional equipment to meet current needs for expanded recyclables storage and processing. The facility, located in Decorah, currently serves Winneshiek County and rural Allamakee County. The

potential exists to expand the project service area by adding all of Allamakee County and by serving as the processor for recyclables collected in northeast Iowa by Waste Management, Inc. once the project is completed and current contracts expire. Targeted materials include ONP, mixed paper, magazines, OCC, metal, glass, post-consumer plastic (Nos. 1,2,3,4,5 and 7), post-industrial plastic (rigid vinyl), textiles and other items.

Winneshiek County received an \$8,052 grant during the June 1992 round to establish a reuse program located at the landfill. The program called for the construction of a small building to store usable demolition materials (i.e., doors, cabinets, windows, and other fixtures) separated from the waste stream for reuse. Separated, targeted materials are not subject to the landfill tipping fee and these materials are free to those wishing to use them.

Addoco Pallets Stephen Rodham, President \$92,568 - Zero Interest Loan

The applicant, located in the City of Peosta, Dubuque County, is proposing to expand operations at the existing pallet manufacturing facility through recycling wooden pallets. The applicant will purchase equipment necessary to grind non-usable wood pallets and scrap wood into marketable mulch, animal bedding and boiler fuel. The project will serve eastern Iowa, and portions of Illinois, Minnesota, and Wisconsin. Financial assistance is requested for the purchase of a wood grinder.

The applicant has not received previous financial assistance.

Siouxland Mat Company Gene Hiemstra, Owner \$243,750 - Zero Interest Loan

The Sioux Center, Sioux County applicant, is seeking to expand an existing custom rubber mat manufacturing facility through the purchase of a larger manufacturing building and the purchase of additional equipment. Rubber mats are manufactured using waste materials from a variety of Iowa manufacturers and scrap tires. No virgin rubber is used in the production of the mats.

The applicant has not received previous financial assistance.

Stickleland L.C. Donald Stickle, Vice President \$185,520 - Zero Interest Loan

The proposed project involves expanding and improving efficiency of an existing facility that manufactures animal feed from food wastes. Targeted food wastes are supplied by bakery

companies, cereal processors, candy processors, milk product processors and specialty food producers. The project will allow accepting a larger amount and variety of food waste products and products with a higher packaging to feed ratio. Waste packaging is recovered and used a fuel source for the processing of the feed product. The applicant is located in the City of Anamosa, Linn County and is requesting financial assistance for building construction, equipment, and supplies.

The applicant has not received previous financial assistance.

The Celotex Corporation Larry Hickey, Plant Manager \$484,760 - Zero Interest Loan

The applicant is proposing to implement a processing system capable of converting waste gypsum wallboard, including stockpiled waste wallboard, into a raw material suitable for reintroducing into the manufacturing process. The applicant, located in the City of Fort Dodge, Webster County, is seeking financial assistance for site preparation, building construction, equipment purchase and installation.

The applicant has not received previous financial assistance.

Great River Regional Waste Authority Randy Hartmann, Director \$102,625 - Zero Interest Loan

The applicant, located in the City of Fort Madison, Lee County, proposes to enhance existing waste wood recycling activities through the purchase of a new waste wood grinder. The applicant is negotiating regional cooperative marketing agreements for wood and yard waste products. Financial assistance is requested for equipment and education/promotion materials.

The applicant received a \$195,185 grant for construction of a materials recovery facility and expand residential curbside and commercial recyclables collection programs. The grant was awarded during the June 1992 round of funding.

City of Ottumwa Alan Winders, Project Coordinator \$49,662 - Grant

Utilizing the local government access channel the City of Ottumwa, Wapello County, will provide educational programs targeting the general public, business and industry on solid waste management alternatives of waste reduction and recycling. Financial assistance is requested for personnel and travel expenses, supplies and video production.

The applicant received a \$256,000 grant for construction of a materials recovery facility and implement a curbside recyclables collection program. The grant was awarded in the Fall of 1990.

Shine Brothers Corporation Toby Shine, President \$475,391 - Total Award

\$331,245 - Grant

\$144,146 - Zero Interest Loan

The Spencer, Clay County based company currently recycles used electrical wire and is proposing to expand their recycling efforts by recovering, processing and marketing the wire's insulation material. This material is currently landfilled, 5,500 tons in 1994. Recovered material will be bagged and marketed to an out-of-state company for use primarily in the dairy cattle industry as a cushion. Ffinancial assistance is requested for purchase of equipment and building construction.

The applicant has not received previous financial assistance.

Christy Corporation and Freese Lime and Rock
Patty Freese, President
\$294,732 - Total Award
\$274,732 - Grant
\$20,000 - Zero Interest Loan

The City of Waterloo, Black Hawk County applicant proposes to implement a recycling program for fly ash from circulating fluidized bed boilers, initially targeting fly ash generated by the University of Northern Iowa. Fly ash will be blended with ag lime and applied to farm fields for use as a soil conditioner and to neutralize soil acidity. Financial assistance is requested for the purchase of equipment, storage building construction, and research/marketing.

The applicant has not received previous financial assistance.

(A copy of the Scope of Work for each applicant is on file in the department's Records Center)

Ms. Wiekierak gave a brief explanation of the contracts.

Discussion followed regarding the Great River Regional Waste Authority, the City of Ottumwa recycling program; eventual self-support of the projects; and some areas going to volume based fee structure.

Motion was made by William Ehm to approve the ten Landfill Alternatives Financial Assistance Program contracts as presented. Seconded by Clark Yeager. Motion carried unanimously.

APPROVED AS PRESENTED

Clark Yeager asked if anyone heard about a recent fire at Riverside Pallet.

Tom Anderson, WMA Staff, responded that it was arson and two people have been arrested in connection with the incident.

IOWA BUSINESS LOAN PROGRAM CONTRACT APPROVAL

Gaye Wiekierak, Waste Management Assistance Bureau Chief, presented the following item.

From the round of five (5) applications submitted January 17, 1995, one (1) application was selected for funding. The total award for the project is \$367,858. At this time, the contract for this project is presented to the Commission for approval.

The contract presented to the Commission for approval is as follows:

Corell Recycling Steve Corell, Owner Bill Lawrie, Manager \$367,858 - Zero Interest Loan

The applicant proposes to expand existing concrete and asphalt recycling operations in order to provide the service to over 400 current customers and identified prospects within the project service area of Polk County and portions of Dallas and Warren Counties. Processed materials meet specifications for such uses as base and backfill material, bedding material for piping, construction site stabilization and driveway cover material. The applicant is located in the City of West Des Moines, Polk County and is seeking financial assistance for the purchase of additional processing equipment and wages.

The applicant has not received previous financial assistance.

Corell Recycling

ARTICLE V. SCOPE OF WORK

Project Description. The Contractor will purchase additional equipment necessary to expand current recycling operations and accept broken concrete and asphalt from area companies and the general public. The Contractor will bag and market clean aggregate as landscape rock. The Contractor will promote the value of and use of recycled aggregates.

Materials and Markets. Materials to be diverted from a sanitary landfill resulting from the Project include: broken concrete and asphalt.

A written listing of markets shall be provided to the Department. This listing shall describe the method of delivery of each material to market; and market price received for each material. Any changes in materials collected, received, markets and marketing strategies shall be reported in the monthly and quarterly reports and the final report as described in Article V, Sections 5.4, 5.7, 5.9 and Article VII, Sections 7.1 and 7.3.

Public Awareness and News Media. The Contractor shall conduct at least one multimedia notified open house event open to all interested parties, after the Project is operational, and will encourage media visits at other times. The Contractor shall notify the Department of the open house no later than thirty (30) days prior to the scheduled date. The Contractor shall inform the public of the Project and promote the project site and project events through the use of newspapers, newsletters, and/or other media within the area served by the Project.

Public Awareness and Education. The Contractor shall make a concerted effort to host at least one public meeting, publicized and open to the public, or speak at a conference, workshop, or similar event, to discuss the Project. Brochures that are developed promoting the Project shall be made available throughout the Project Area and provided to the Department as part of the reporting requirements identified in Article V, Sections 5.7 and 5.9 and Article VII, Sections 7.1 and 7.3.

- Project Monitoring. The Contractor shall document and monitor, at a minimum, items identified in Article V, Sections 5.2, 5.3, 5.5, 5.6, 5.8, and 5.9. Specific items to be monitored and reported include: the sources of broken concrete and asphalt; the amount of broken concrete and asphalt received, processed and marketed; tipping fees charged; and revenue received for each marketed material including reduced costs by using recycled aggregate. The Contractor shall provide a detailed description of processing operations for each material received and for each product produced. The number of employees, the number of employees in each position classification and average wages for each position classification involved in operation of the Project shall be reported. Monitoring results shall be reported to the Department in the monthly, quarterly and final reports described in Article V, Sections 5.7 and 5.9 and Article VII, Sections 7.1 and 7.3.
- Permitting. The Contractor shall contact the Environmental Protection Division of the Department (515-281-8941) to determine if a permit or permit amendment is necessary from the Department by the date identified in Article VI, Milestones. If a permit or permit amendment is required, the Contractor shall prepare detailed plans for the Project. The Contractor will submit plans and specifications for the Project to the Environmental Protection Division of the Department and shall receive approval from the Department before operation of the Project begins. If the Department determines that a permit or permit amendment is not necessary, a written confirmation from the Department must be provided.
- Purchases. The Contractor agrees to make a concerted effort to contract at least ten percent of all purchases which directly utilize loan funds in the purchase of supplies, equipment, construction and services with targeted businesses, minority owned businesses or women owned businesses. The Department shall release loan funds for reimbursement for eligible expenses, only after the Contractor documents in writing, a summary of efforts and the Contractor receives approval from the Department. Documentation of the Contractor's efforts may take place prior to placing purchase orders

for all eligible contract expenses or the Contractor may elect to submit the documentation prior to the placing of purchase orders for each additional equipment, supplies, construction and services.

The Contractor shall purchase eligible items costing over \$10,000 on a competitive basis if this purchase directly utilizes loan funds. The Contractor shall keep on file at the project site all bid documents, price quotes and other materials documenting the competitive bid process was adhered to until the expiration of the Term of Contract as identified on the title page of the Contract. These bid documents, price quotes and other materials documenting the competitive bid process shall be made available upon request for review by the Department or its advisors. The purchase of nonexpendable tangible personal property will include a local cost share of the actual purchase price of the nonexpendable tangible personal property expenses as identified in Appendix A, Budget. Subject to the five-year reimbursement provision as set forth below, the title of the property purchased by the Contractor shall remain vested with the Contractor.

In the event that the Project fails or ceases operations as originally proposed for up to five (5) years after the expiration of the Term of Contract as identified on the title page of this Contract and without prior Department approval, the Department shall be reimbursed an amount equal to the estimated current fair market value for all nonexpendable tangible personal property used in the performance of this Contract. In the event any nonexpendable tangible personal property item or items purchased or constructed, in which loan funds were used, are sold and proceeds from that sale are used for other than acquisition of comparable replacement items for up to five (5) years after the expiration of the Term of Contract as identified on the title page of this Contract, the Department shall be paid a percentage of the sale price equal to the percentage of loan money used in the original purchase or construction of the nonexpendable tangible personal property. For the purposes of this contract, nonexpendable tangible personal property, includes but is not limited to, vehicles, trailers, collection and processing equipment, building construction, building remodeling, and scales. For the purposes of this Contract, comparable replacement items means items that maintain the intent of the Project.

Monthly and Quarterly Reports. The Contractor shall submit monthly reports on the Project. Monthly reports are due by the 15th of every month and shall commence with the beginning date of Time of Performance as identified on the title page of this Contract. The submittal of monthly reports will terminate when the first quarterly loan repayment is due to the Department as identified in Article VI, Milestones. In place of monthly reports, quarterly reports will be due during the period of time in which loan repayments are being made and will terminate with the last loan repayment submitted to the Department. Quarterly reports are due in conjunction with quarterly repayments and as outlined in Appendix C. Prepayment of loan funds will not will not alleviate the Contractor of complying with conditions of this Contract, including reporting requirements without prior approval of the Department.

Monthly and quarterly reports shall discuss the status of the Project and shall include an update of all information required in Article V, Sections 5.1 through 5.6, and Appendix B of this Contract.

Pictorial History. The Contractor shall develop a pictorial history via slides of the Project complete with data on project development from early initiation through construction, start-up, and Contract completion. Provide necessary supporting information, a narrative, for clarification of pictorial history subject matter. The pictorial

history shall be of such quality necessary for presentations at conferences, reproduction in trade journals, and other sources to disseminate the results of the Project. One copy of this pictorial history and supporting narrative shall be submitted with the final report described in Article V, Section 5.9 and Article VI, Milestones.

- Final Report. The Contractor shall submit a final report on the Project. The final report shall be submitted by the date identified on the title page of this Contract and Article VI, Milestones. The final report shall include an overview of Article V, Sections 5.1 through 5.8 with special attention given to the following items:
 - Information on the sources of broken concrete and asphalt; the amount of broken concrete and asphalt received, processed and marketed; tipping fees charged; and revenue received from marketed materials including reduced costs by using recycled aggregate. The Contractor shall provide a detailed description of processing operations for each material received and for each product produced. The number of employees, the number of employees in each position classification and average wages for each position classification involved in operation of the Project shall be reported. All applicable items identified in Appendix B shall be reported. The impact of public awareness programs. A detailed and documented description of all Project costs, expenses and revenues. Conclusions and recommendations regarding the Project shall be provided.
 - 2) The environmental impact of the Project.
 - 3) Assessment of the viability of conducting this type of project in other facilities, communities, counties and regions within the State of Iowa.
 - 4) Details on all aspects of the Project during the term of the Contract, including an analysis of problems and successes encountered.
 - 5) Complete pictorial (slides) history and supporting narrative of the Project. The pictorial history must be of presentation quality.
 - 6) Copies of all educational materials, brochures, newspaper and magazine articles, press releases, public service announcements and other written, audio, and pictorial materials that educate or promote the project.

APPENDIX A

ITEM	DNR AWARD	COST SHARE	TOTAL COST
Equipment	\$ 348,658	\$ 38,740	\$ 387,398
Existing Equipment	0	350,000	350,000
Wages	19,200	0	19,200

TOTAL	\$ 367,858	\$ 388,740	\$ 756,598

Equipment to be purchased:

Wheel Loader	Generator
Conveyors (2)	Skid Loader
Jaw Crusher	Bagging Machine
Screener	

Execution of this Contract is certification that existing in-kind local match, as represented in the Budget, Appendix A, is true, correct, and accurate. If found that existing in-kind local match is being falsely represented, it may result in termination of this Contract, withholding of any or all unspent loan funds and may be cause for the Department to declare the entire unpaid balance and costs of collection immediately due and payable.

Ms. Wiekierak distributed a recent letter from Correll Recycling requesting a 7 1/2 year repay period rather than a five year period.

Chairperson Siebenmann asked if the loger repay period will create any problems.

Ms. Wiekierak stated that she does not anticipate any problems with it.

Rozanne King asked if it will put a crimp in the fund.

Ms. Wiekierak related that she has not calculated the effect on the fund but stressed that it will not put it in jeopardy.

Motion was made by Charlotte Mohr to approve the Iowa Business Loan Program Contract for Correll Recycling with the extension for a 7 1/2 year payback. Seconded by Rozanne King. Motion carried unanimously.

APPROVED AS AMENDED

REPORT ON ATTAINMENT OF THE 25% WASTE REDUCTION AND RECYCLING GOAL

Gaye Wiekierak, Waste Management Assistance Bureau Chief, presented the following item.

The 1994 General Assembly amended Code of Iowa Section 455D.3, pertaining to the state waste reduction and recycling goals, to include the following requirements. Each comprehensive planning area in the state was to submit a solid waste abatement table updated

through June 30, 1994 to the Department of Natural Resources by October 31, 1994. The Department was directed to review this information and assess the progress that has been made by each planning area toward attainment of the July 1, 1994 twenty-five percent reduction goal. The results of these evaluations were to be reported to the General Assembly by April 1, 1995. The attached report was submitted to satisfy the statute.

The reported reduction percentages for the comprehensive planning areas that presently exist throughout the state are based on a comparison of the solid waste disposed within each area during the July 1, 1993 to June 30, 1994 fiscal year to a disposal figure derived from the area's 1988 baseline data. As provided in Iowa Administrative Code Paragraph 567--101.5(4)"c", factors which may have contributed to a significant increase or decrease in the amount of solid waste generated within a planning area since 1988, including changes in population, employment or industrial production, were considered in these evaluations.

Of the forty planning areas for which data is available, twenty have demonstrated attainment of the July 1, 1994 twenty-five percent goal. A compilation of the individual planning areas' data shows that Iowans have reduced the amount of solid waste being landfilled since 1988 by twenty-eight percent through the practices of waste reduction at the source and recycling.

(A copy of the Waste Reduction and Recycling Report is on file in the department's Records Center)

Ms. Wiekierak briefly reviewed the report.

William Ehm asked why information is not available for some areas.

Ms. Wiekierak stated that a few areas submitted information that was incorrect or insufficient and those plans were returned to them, so some information was not finalized at the time the report was compiled.

Discussion followed regarding how noncompliance will affect an areas tonnage fees, and the various goal percentages that were attained.

INFORMATIONAL ONLY

MONTHLY REPORTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

- 1. Rulemaking Status Report
- 2. Variance Report
- 3. Hazardous Substance/Emergency Response Report
- 4. Enforcement Status Report

5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

IOMA DEPARTMENT OF NATURAL RESOURCES ENVIRONMENTAL PROTECTION COMMISSION RULEMAKING STATUS REPORT April 1, 1995

	PROPOSAL	NOTICE TO	NOTICE PUBLISHED	RULES REVIEW COMMITTEE	HEARING.	FINAL SUMMARY TO COMMISSION	RULES ADOPTED	RULES PUBLISHED	RULES REVIEW COMMITTEE	RULE EFFECTIVE
	AKOROSAL									
1.	Ch. 20, 22 - Revisions to Voluntary Operating Permit Rules	*5/22/95	*6/21/95	* 7/11/95	*7/ /95	*8/21/95	*8/21/95	* 9/13/95	*10/04/95	*10/18/95
2.	Ch. 20, 22, and 25 - Air Quality	2/20/95	3/15/95	4/10/95	4/17/95	*5/22/95	*5/22/95	*6/21/95	*7/11/9 5	* 7/26/95
3.	Ch. 22 - Air Quality Construction Permits	11/21/94	12/21/94	1/19/95	1/23/95	*5/22/95	*5/22/95	*6/21/95	* 7/11/95	*7/26/95
4.	Ch. 22, 23 - Standards for Hazardous Air Pollutants for Source Categories	*5/22/95	*6/21/95	*7/11/95	*7/ /95	*8/21/95	*8/21/95	*9/13/95	*10/04/95	*10/18/95
5.	Ch. 31 - Special Provisions for Sulfur Dioxide Emissior in the Muscatine Area	s ns *5/22/95	*6/21/95	* 7/11/95	* 7/ /95	*8/21/95	*8/21/95	*9/13/95	*10/04/95	*10/18/95
6.	Ch. 40, 43 - Water Supply Permit Fees	9/19/94	10/12/94	11/01/94 11/02/94 11/03/94 11/04/94	1/17/95	1/17/95	1/17/95	2/15/95	3/14/95	Delayed
7	. Ch. 61 - Stream Use Classification	1/17/95	2/15/95	3/14/95	3/07/95 3/08/95 3/09/95 3/10/95	*5/22/ 9 5	*5/22/95	*6/21/95	*7/11/9 5	* 7/26/95
8	. Ch. 61 - WQ Standards - Corps of Engineers Regiona Section 404 Permits	l *5/22/95	*6/21/95	* 7/11/95	*7/ /95	*8/21/95	*8/21/95	*9/13/95	*10/04/95	*10/18/95
9	. Ch. 112- Infectious Waste	3/20/95	4/12/95	*5/08/95	*5/23/95	*6/20/95	*6/20/95	*7/19/95	*8/14/95	*8/23/95
1	O. Ch. 117 - Waste Tire Collection and Processing	3/20/95	4/12/95	*5/08/95	*5/25/95	*6/20/95	*6/20/95	*7/19/95	*8/14/95	*8/23/95
1	1. Ch. 145 - Household Batteries	11/21/94	12/21/94	1/19/95	1/11/95	*5/22/95	*5/22/95	*6/21/95	*7/11/95	*7/26/95
4	* Projected									

		Monthly Va	riance Report			
Item No.	Facility	Program	Engineer	Subject	Decision	Date
1	Belmond, City of	Air Quality		Separation Distance	Approved	03/06/95
2	Cascade Forestry Service- Dubuque County	Air Quality		Rubbish	Denied	03/08/95
3		Air Quality	Eric Coustry, P.E Mikon Corporation	Separation Distance	Approved	03/23/95
4	Transco Railway Products, Inc Oelwein	Air Quality		Landscape Waste	Denied	03/28/95
5	Transco Railway Products, Inc Oelwein	Air Quality		Rubbish	Denied	03/28/95
6		Flood Plain	·	Freeboard	Approved	03/22/95
7	CIPCO Ash Disposal Landfill- Muscatine County	Solid Waste	Montgomery Watson	Leachate	Approved	03/27/95
8	Rural lowa Sanitary Landfill (RIWMA)-Hardin County	Solid Waste	Fox Engineering	Leachate	Denied	03/21/95

Report of Hazardous Conditions

During the period March 1, 1995, through March 31, 1995, reports of 41 hazardous conditions were forwarded to the central office. Two incidents are highlighted below. A general summary and count by field office is attached. This does not include releases from underground storage tanks, which are reported separately.

Date Reported and County	Material, Amount, Cause, Location & Impact	Responsible Party	Response
03/01/95 Johnson	Employees discovered a cracked valve on a transformer	Linn County REC 999 35th Street Marion , Iowa 52302	Employees removed contaminated soil over a 21 ft by 75 ft area.
	Shueyville. 1166 gallons of transformer oil spilled onto the soil. No surface waters were impacted by the spill.		
03/15/95 Dallas	A regulator failed on a transformer in DeSoto. A maximum of 20 gallons of transformer oil spilled into a roadside ditch. No surface waters were impacted by the spill.	Midwest Resources 401 Douglas Sioux City, Iowa 51102	A cleanup crew placed booms and pads across the ditch to prevent oil from migrating to a nearby creek. Contaminated soil was excavated and properly removed.

		Substance			Mode					
Month	Total Incidents	Petroleu m Product	Agri - Chemical	Other Chemical s and Substanc es	Handling and Storage	Pipeline	Highway Incident	RR Incident	Fire	Other
October	51(56)	38(37)	3(6)	10(13)	32(34)	0(0)	16(20)	0(0)	0(0)	10(2)
Novembe r	54(52)	24(34)	7(3)	23(15)	29(30)	0(3)	22(14)	3(0)	0(1)	0(4)
Decembe	52(41)	27(30)	2(2)	23(9)	38(23)	9	12(14)	0(2)	0(0)	1(2)
January	48(67)	29(47)	7(3)	12(14)	31(38)	. 0(1)	14(23)	1(2)	1(2)	1(1)
February	40(57)	30(38)	0(3)	10(16)	23(29)	0(2)	16(22)	2(0)	1(0)	0(2)
March	41(69)	27(42)	5(6)	9(21)	44(24)	0(0)	17(14)	0(2)	0(3)	0(6)
April										· · · · · · · · · · · · · · · · · · ·
May		***************************************								
June										
July										
August										
Septembe r										

Total Number of Incidents Per Field Office This Period: (numbers in parentheses for the same period in fiscal year '94)

REPORT OF RELEASES FROM UNDERGROUND STORAGE TANKS

During the period of March 1, 1995 through March 31, 1995, the following number of releases from underground storage tanks were identified.

25(43)

The number in parentheses represents the number of releases during the same period in Fiscal Year 1994.

Enforcement Report Update

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Larry Royer, Guthrie Co. (4)	Wastewater	Construction Contrary to Permit	Order/Penalty \$1,000	3/20/95
Jody Beaver, Cedar Co. (6)	Solid Waste Air Quality	Illegal Disposal; Open Burning	Order/Penalty \$2,000	3/20/95
Lehigh Portland Cement Co., Mason City (2)	Air Quality	Construction Without Permit	Order/Penalty \$10,000	3/20/95
The Weitz Corporation and Barton Solvents, Des Moines (5)	Hazardous Condition	Remedial Action	Order	3/20/95
Pioneer Water System, Pioneer (2)	Drinking Water	MCL-Bacteria; Public Notice	Order	3/21/95
R.V. Hopkins, Inc., Davenport (6)	Air Quality	Construction Without Permit; Emission Standards	Order/Penalty \$10,000	3/22/95
Perry, City of (5)	Wastewater	Discharge Limits	Order/Penalty \$10,000	3/22/95
Rose Acre Farms, Guthrie Co. (4)	Wastewater	Construction Without Permit	Amended Order	3/30/95
Margaret Shoppa and Weldon Shoppa d/b/a M & W Mobile Home Park, Muscatine (6)	Wastewater	Compliance Schedule	Order	3/30/95
Estherville, City of (3)	Wastewater	Compliance Schedule; Discharge Limits	Order/Penalty \$375	3/30/95
Valley Heights 1st Annex, Blue Grass (6)	Drinking Water	Monitoring/Reporting- Lead/Copper; Public Notice	Order/Penalty \$550	3/30/95
Brittany Estates Addition, Manchester (1)	Drinking Water	Monitoring/Reporting- Bacteria, Inorganics, Organics, Radioactivity; Public Notice	Order/Penalty \$500	3/30/95

Summary of Administrative Penalties

The following administrative penalties are due:

The following administrative penditure			
NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
		200	10.01.02
Marvin Kruse d/b/a K & C Feeds (Luana)	UT	300	12-01-92
Don Grell d/b/a Dodger Enterprise (Ft. Dodge)	AQ	10,000	2-16-93
Duane Pospisil d/b/a Duane's Service (Lisbon)	UT	1,000	5-04-93
Franklin Raymond (Pacific Junction)	UT	300	7-07-93
Eddie Hemmer (Jones County)	AQ/SW	600	8-01-93
thelanels Lounge (Washington)	WS	425	9-01-93
Melvin Foubert d/b/a Mel's Repair Service (What Cheer)	UT	400	12-13-93
Stan Simmer d/b/a Tire City (Des Moines)	UT	600	12-21-93
+62_00 Cafe (Moore Oil Co.) (Malcom)	WS	200	1-20-93
william watch d/h/a R & R Convenience Store (Central City) UT	2,480	2-28-93
v_commice Inc . Kirkendall Enterprises, et.al. (Sloan)	01	1,440	2-28-94
vint & Mary Marzofka: John & Shirley Rioldan (Sabula)	UT	500	3-31-94
Ida Grove Farm Supply Co. d/b/a Double Circle Farm			
Supply Co. (Galva)	UT	2,300	5-15-94
Leland Koster and Jim Koster (Alexander)	UT	350	6-11-94
Dennis Malone & Joanne Malone (Morning Sun)	UT	600	6-16-94
*Home Asbestos & Lead Abatement Services (Johnston)	AQ	350	7-02-94
King Transfer, Ltd.; George B. King (Onawa)	UT	2,400	7-20-94
Central Water Works (Fort Dodge)	ws	275	8-21-94
Blanchard, City of	WS	. 275	8-22-94
Crawford Flats, Ltd. (Denison)	WS	275	8-25-94
Birmingham, City of	ws	550	8-28-94
	WS	550	8-28-94
Holland, City of Denmark Municipal Water Supply (Denmark)	WS`	550	8-28-94
Hide-A-Way Manor (Cedar Rapids)	ws	275	8-28-94
*Terry Beaird d/b/a Curry Environ. Services (Marion)	AQ	1,000	9-01-94
Coralville Lake Terrace Assn. (North Liberty)	WS	550	9-01-94
Coralville Lake Tellace Assn. (Noten Liber)	WS	550	9-08-94
Midway Water & Lighting (Marion)	WS	125	9-13-94
The Marley Pump Co. (Davenport)	WS	125	9-14-94
RHCL School (Luxemberg)	WS	110	9-14-94
Willey, City of	UT	2,800	9-15-94
Bill Dettman d/b/a Dettman Oil Co. (Fonda)	WS	900	9-19-94
Verde Water Company-Table Mound #1-Well #1 (Dubuque)	WS	125	9-19-94
Trout Valley 2nd Addition (Bettendorf)	WS	275	9-19-94
Orrie's Supper Club, Inc. (Hudson)	WS	275	9-23-94
Kilpeck Mobile Home Park (Muscatine)	WS	275	9-23-94
Immanuel Lutheran Church and School (Readlyn)	WS	275	9-25-94
Sunshine Homes, Inc. (Atlantic)	ws	275	9-25-94
Scenic View Estates (Decorah)	WS	375	10-12-94
Yarmouth Elementary School (Mediapolis)	WS	650	10-17-94
Ratavia City of	UT	3,200	10-18-94
Geils Oil Company; Lawrence P. Geils (Donnelson)		200	10-22-94
Hidden Valley Mobile Home Court (Washington Co.)	WS		10-24-94
Western Hills Light and Water (Algona)	WS	100 100	10-25-94
Oxford, City of	WS		10-25-94
Pioneer, City of	WS	100	
Paul L. Dunkel (Delaware Co.)	SW	1,500	11-09-94 11-15-94
*Dale Hall d/b/a Hall Oil Co. (Des Moines)	UT	250	
DBM, Inc. (Cedar Falls)	AQ	10,000	11-30-94
Donald K. Schmidt (Cedar Rapids)	UT	3,000	12-27-94
Collier Oil Co.; Clark Concrete Co. (Onawa)	UT	3,300	1-22-95
Rome, City of	WW	350	2-23-95
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000	3-24-95 3-26-95
North Coralville Lake Manor (Solon)	WS	450	
Curry Environmental Services (Dubuque)	AQ	6,000	3-27-95
Galva, City of	WS	1,000	4-06-95
Rose Acre Farms, Inc. (Guthrie Co.)	WW	3,000	4-10-95
*Waste Management & Design, Inc. (Webster City)	WW	5,140	4-10-95
Fairfield, City of	AQ	1,000	4-15-95
Ron Mumby (Iowa Co.)	SW	2,000	4-19-95
*Fine Oil Co.; John and Diane Fine (Appanoose Co.)	AQ/HC/WW	1,000	4-23-95
*Phil McMains (Appanoose Co.)	SW	600	4-24-95
Larry Royer (Guthrie Co.)	WW	1,000	5-23-95
Edward Bodensteiner (Des Moines)	UT	3,200	
Plantation Village Mobile Home Park (Burlington)	WW	1,000	
William R. Hennessey & Son, Inc. (Cedar Rapids)	UT	2,670	
Lloyd Dalsing (Dubuque)	AQ	5,000	
Randy Ballard (Fayette Co.)	FP	2,000	
Jody Beaver (Cedar Co.)	SW/AQ	2,000	
R.V. Hopkins, Inc. (Davenport)	AQ	10,000	
Perry, City of	ww	10,000	
Valley Heights 1st Annex (Blue Grass)	WS	550	
Brittany Estates Addition (Manchester)	WS	500	
Riverview Manor (Scott Co.)	WS	375	
			-
	TOTAL	120,26	,

The following cases have been referred to the Attorney General:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE	
OK Lounge (Marion) Richard Davis (Albia) Eagle Wrecking Co. (Pottawattamie Co.) *Twelve Mile House (Bernard) *Lawrence Payne (Ottumwa) William L. Bown (Marshalltown) Wellendorf Trust (Algona)	WS SW WS SW SW AQ/SW	448 1,000 300 119 425 1,000 460 669	11-01-87 2-28-88 5-07-89 5-20-89 6-19-89 10-01-89 2-12-90 3-05-90	
Donald P. Ervin (Ft. Dodge)	5 11			

Gerald G. Pregler (Dubuque Co.)	SW	1,000	9-02-90	
Donald R. Null (Clinton Co.)	AQ/SW	1,000	9-06-90	
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91	
Fred Varner (Worth Co.)	SW	950	4-11-91	
Honey Creek Camping Resort (Crescent)	WS	245	6-13-91	
F.R. Thomas/F.R. Thomas, Jr. d/b/a Clair View Acres				
Store (Delhi)	WS	1,000	8-04-91	
M & W Mobile Home Park (Muscatine)	WW	200	8-21-91	
Vern Starling (Boone Co.)	SW	440	9-15-91	
Lloyd Dunton (Iowa Co.)	SW	300	11-07-91	
Vernus Wunschel d/b/a Wunschel Oil (Ida Grove)	UT	300	1-12-92	
Kenneth Bode (Mills Co.)	SW	300	4-27-92	
V.R. Dillingham d/b/a Barb's Service (Everly)	UT	600	5-21-92	
Tandem Oak Park Associates (Ft. Dodge)	WS	405	6-03-92	
Dick White (Washington County)	AQ	250	8-15-92	
Rankin Roofing & Siding Co. (Knoxville)	AQ	500	11-09-92	
Tony Hoyt d/b/a Lake Wilderness (Lee Co.)	SW	1,000	1-23-93	
Bernard Gavin Veterinary Clinic (Wellsburg)	UT	600	5-02-92	
Tim Sharp (Newton)	UT	1,000	1-25-93	
Jack Link Truck Line, Inc. (Dyersville)	UT	300	1-25-93	_
David Young d/b/a Sierp Oil Co. (Casey)	UT	300	2-10-93	
Carson Grain & Implement (Coggon)	UT	1,000	8-03-92	
Robert Bodwell (Winterset)	UT	300	7-07-93	
Louis Saak d/b/a Saak Oil Co. (Baxter)	UT	1,560	12-25-93	
Smith Oil Co.; Franklin Smith (Mt. Ayr)	UT	600	3-31-94	
Jay Browns d/b/a Browns Service (Murray)	UT	1,272	4-04-94	
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94	
Economy Solar Corp. (Monticello)	AQ	100	6-01-94	
Buffalo Bill Estates, Inc. (Clinton Co.)	WS	1,000	6-18-94	
McCarty Homeowners Assn. (LeClaire)	WS	275	8-20-94	
Rayburn Court for Mobile Homes (Mason City)	WS	375	9-29-94	
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070	10-11-94	
Relative, Inc.; Doug Smuck (Des Moines)	UT	600	10-11-94	
Trust Trucking Corp.; Jim and Brenda Huyser (Lovilia)	UT	840	11-01-94	
Wunschel Oil, et.al. (Battle Creek)	UT	6,400	11-08-94	

TOTAL 34,503

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Des Moines, City of	HC	1,000
Van Dusen Airport Services (Des Moines)	HC	1,000
Joe Eggers, Jr., et.al. (St. Ansgar)	SW	1,000
McDowell Dam #1 (Lee Co.)	FP	500
Hickory Hollow Water Co. (Ankeny)	WS	400
Wayne Transportation, Inc. (Greene)	WW	1,000
Mulgrew Oil Company (Dubuque)	HC	500
John Staub d/b/a Mr. Convenient (Burlington)	UT	600
Charles Kerr (Sloan)	UT	600
Stringtown Country Cafe (Lenox)	WS	1,000
Lincoln Farm and Home Service (Henderson)	ww	1,000
Chickasaw Co. SLF, et.al. (Chickasaw Co.)	SW	1,000
Plymouth Cooperative Oil Co. (Hinton)	ww	1,000
LaVerne Rehder (Union)	UT	300
Randy Bonin/Vickie Brannick (Hardin Co.)	SW	500
Dean Hoeness d/b/a Hoeness & Sons (Winterset)	UT	300
	UT	600
Decatur, City of	ww	500
King's Terrace Mobile Home Court (Ames)	AQ	1,000
ITWC, Inc. (Malcom)	SW	1,000
Lloyd Decker (Floyd Co.)	WS	200
Waucoma, City of	WW	1,000
Tracy Below (Hardin Co.)	ww	1,000
Grand Laboratories, Inc. (Larchwood)	SW	500
Frank Hulshizer (Benton Co.)	HC	1,000
Chicago/Northwestern Transp. Co. (Council Bluffs)		
Pirelli Armstrong Tire Corp. (Polk Co.)	SW	1,000 3,000
TRS Industries, Inc.; City of Des Moines (Des Moines)	SW	
Land Renu, Inc. (Rockwell City)	sw	1,000
LeMars, City of	ww	5,000
Crane Co. d/b/a Crane Valves (Washington Co.)	SW	500 1,000
Donald Udell (Plymouth Co.)	SW	
Daisy H. Gridley Conservatorship, et.al. (Union Co.)	SW	1,000 500
Mel-Ray Mobile Home Park (Ankeny)	WW	
Thomas L. Burt, et. al. (Butler Co.)	SW	1,000
Oakwood Park Water, Inc. (Ankeny)	WS	1,000
U.S. Dept. of Defense (Sioux City)	UT	5,720
Blue Spruce Feedlots, Inc. (Pottawattamie Co.)	WW	5,000
Valley Restaurant/Sierp Oil/Mary & Carl Sierp (Villisca)	UT	5,000
Valley Restaurant/Sierp Oil/Robert Radford (Villisca)	UT	2,300
Orlo Stewart, et.al. (Webster Co.)	SW	1,000
J.P. Scherrman, Inc. (Farley)	UT	1,160
Walnut Grove Water Company (Davenport)	ws	2,000
Lester D. Davis & Evelyn McKelvogue (Warren Co.)	AQ/SW	5,000
Waverly Gravel & Ready-Mix aka Shell Rock Sand & Gravel (Shell Rock)	AQ	3,000
Anderson Excavating & Wrecking Co. (Waterloo)	AQ	1,000
Farmers Hybrid Companies, Inc. (Keokuk Co.)	WW	3,500
L.F. & Betty Everett; Vern Barker & Donald Knotts, d/b/a		
Barker & Knotts Construction; and Gene Philips (Ottumwa)	AQ	10,000
Eli Shada (Anamosa)	UT	1,328
James and Robert Brock d/b/a B & B Oil (Ringsted)	UT	1,685
M and D Tire Processing, Inc. (Decatur Co.)	sw	10,000
Merrill, City of	AQ	5,000

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Harold Lee (Keokuk Co.)
Riverside Plating Company (Shell Rock)
                                                                                                                                                                                                                                                       3,300
                                                                                                                                                                                                                                                      1,500
      Riverside Plating Company (Shell Rock)
Economy Solar Corp. (Monticello)
Toys "R" Us, Inc. (Davenport)
Coastal Mart, Inc.-Store #1081 (Davenport)
John Deere Company (Waterloo)
Enviro Safe Air, Inc. (Sioux City)
Parkwest, Ltd.; Wilbur Numelin; Ricky Lee Anderson (Clear Lake)
                                                                                                                                                                                                                      AQ
UT
UT
                                                                                                                                                                                                                                                     5,560
5,320
                                                                                                                                                                                                                      AQ
AQ
                                                                                                                                                                                                                                                       1,000
                                                                                                                                                                                                                                                     2,000
     (Clear Lake)

Country Stores of Carroll, Ltd.; Roger Kanne (Carroll)

Elite, Ltd.; Roger Kanne; James Pietig (Coon Rapids)

Elite, Ltd.; Roger Kanne; James Pietig (Logan)

HiWay Texaco, Ltd.; Roger Kanne; Rick Kanne (Bagley)

Arlo Becker d/b/a Becker's Auto Salvage (Benton Co.)

Galva Union Elevator Co. (Galva)

Farmers Hybrid Companies, Inc. (Hamilton Co.)

Sara Lee Corporation (May Hampton)
                                                                                                                                                                                                                                                     3,500
                                                                                                                                                                                                                      UT
UT
                                                                                                                                                                                                                                                     5.000
                                                                                                                                                                                                                      AQ
UT
                                                                                                                                                                                                                                                     3,000
                                                                                                                                                                                                                                                     3,100
   Farmers Hybrid Companies, Inc. (Hamilton Co.)
Sara Lee Corporation (New Hampton)
New Hampton, City of
Joseph L. Ranker; Daryl Hollingsworth (Indianola)
Larry and Kelly Miller (Ogden)
K-Mart Corporation/Store #7261 (Des Moines)
R.D.J. Farms; Donald Vogt (Van Horne)
Home Oil Stations; Otto-Matic; Larence Otto (Burlington)
Winfield S. McKinney; Gary L. McKinney (Union Co.)
Fella Construction Co., Ltd. (Pella)
Tom Wiseman (Sheffield)
Woodlyn Hills (Algona)
Lakewood Utilities (Ft. Dodge)
Village Oaks Homeowners Assn. (Blue Grass)
                                                                                                                                                                                                                      WW
WW
WW
UT
                                                                                                                                                                                                                                                  4,000
                                                                                                                                                                                                                                                  10,000
                                                                                                                                                                                                                                                     4,000
                                                                                                                                                                                                                      UT
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                                                                                                                                                                                                                    UT
WS
                                                                                                                                                                                                                     WS
                                                                                                                                                                                                                                                           550
    Village Oaks Homeowners Assn. (Blue Grass)
South High Point Well Assn. #2 (Iowa City)
Kessler's Homeowners Assn. (Iowa City)
Iowa City Regency Mobile Home Park (Iowa City)
Woodburn, City of
Cherry Hills Homeowners Assn. (Iowa City)
                                                                                                                                                                                                                      ws
                                                                                                                                                                                                                                                           550
                                                                                                                                                                                                                    WS
                                                                                                                                                                                                                                                           275
                                                                                                                                                                                                                                                    1,000
                                                                                                                                                                                                                                                           550
   Cherry Hills Homeowners Assn. (Iowa City)
Edinburgh Manor (Anamosa)
Windy Ridge Well Assn. (Lisbon)
Karl and Thelma Boylan d/b/a Boylan's Service (Northboro)
Thomas M. Scheetz d/b/a The Depot Food N' Fuel (Oxford)
William Jensen d/b/a B & B Tire & Oil Co. (Avoca)
Riverview Estates (Iowa City)
Crabtree Lake Resort (Rhodes)
Elmer R. Faust d/b/a Faust Garage & Grocery (Delaware)
American Coals Corporation-Site #5 (Bussey)
H.E.W., Inc. a/k/a Hazardous Environmental Wastes, Inc.,
a/k/a Algona Roofing & Insulation, Inc. (Algona)
Bankston, City of
Wunschel Oil, et.al. (Ida Grove)
David Schultz (Clayton Co.)
Burke Marketing Corporation (Nevada)
                                                                                                                                                                                                                    WS
                                                                                                                                                                                                                                                          200
                                                                                                                                                                                                                    WS
                                                                                                                                                                                                                                                          110
                                                                                                                                                                                                                                                   1,800
                                                                                                                                                                                                                                                    2,300
                                                                                                                                                                                                                    UT
                                                                                                                                                                                                                                                   2,300
                                                                                                                                                                                                                                                         275
                                                                                                                                                                                                                    ww
                                                                                                                                                                                                                                                   5,400
                                                                                                                                                                                                          SW/AQ
                                                                                                                                                                                                                                               10,000
                                                                                                                                                                                                                                                  5,000
                                                                                                                                                                                                                                              10,000
    Burke Marketing Corporation (Nevada)
Chicago & North Western Transportation Co. (Clay Co.)
                                                                                                                                                                                                                                                  5,000
                                                                                                                                                                                                         WW/SW
                                                                                                                                                                                                                                               10,000
    Jim Foust (Indianola)
Titan Wheel International, Inc. (Walcott)
                                                                                                                                                                                                                                               2,175
10,000
   Ronald Sizemore and Mark Murphy (Eldora)
First United Methodist Church (Ft. Madison)
                                                                                                                                                                                                                                               3,200
  First United Methodist Church (Ft. Madison)
Mike Murphy d/b/a Hawley Heating & Air (Keokuk)
Boomsma's Egg, Inc. (Alden/Galt)
Boomsma's, Inc. (Alden)
A.J. DeCoster (Wright Co.)
A.J. DeCoster (Wright Co.)
George Dolan (Northwood)
Chuck Widner, Jr. d/b/a E.D.O., Inc. (Glidden)
Woodbury County Highway Department (Woodbury Co.)
Keith Owens and Howard Maurer (Wilton)
Twin Vlew Heights (Solon)
                                                                                                                                                                                                                                               10,000
                                                                                                                                                                                                                                                  2,500
                                                                                                                                                                                                                                                  2,500
                                                                                                                                                                                                                                                  3,300
                                                                                                                                                                                                                                                  2,000
                                                                                                                                                                                                                                                  4,000
                                                                                                                                                                                                                                                 3,100
   Twin View Heights (Solon)
Tom Babinat d/b/a Tom's Car Care (Grundy Center)
                                                                                                                                                                                                                                                        500
                                                                                                                                                                                                                                                  3,600
  Welch Oil, Inc. (Williams)
Richard Beckett (Villisca)
                                                                                                                                                                                                                                              10,000
Richard Beckett (Villisca)
Bork Transport, Inc. (Des Moines)
Gilmore City-Bradgate Comm. School Dist. (Gilmore City)
Henry and Randy Krohn d/b/a Krohn Const. (Waukee)
A James and Roxann Neneman; J & R Mini Mart (Council Bluffs)
Simonsen Industries, Inc. (Cherokee Co.)
Hubert Vote d/b/a Vote House Moving (Gilmore City)
Allan Brandhoij d/b/a Brandhoij Const. (Gilmore City)
Michael J. Reding (Kossuth Co.)
Sherman Place Water & Roads, Inc. (Decorah)
Dennis Sharkey d/b/a Sharkey Bldg. Wrecking (Dubuque)
Irvin Leichty (Henry County)
Richard Waugh d/b/a Dick's Apco Car Wash (Hampton)
Sale-R-Villa Const., Inc. (Perry)
Woden-Crystal Lake Comm. School District (Crystal Lake)
Lehigh Portland Cement Co. (Mason City)
                                                                                                                                                                                                                                                1,300
                                                                                                                                                                                                                  UT
                                                                                                                                                                                                                                                1,000
                                                                                                                                                                                                                                                  6,000
                                                                                                                                                                                                       AQ/SW
                                                                                                                                                                                                                                                4,000
                                                                                                                                                                                                                                                5,000
                                                                                                                                                                                                                                                 6,000
                                                                                                                                                                                                                                                4,500
                                                                                                                                                                                                                                                        650
                                                                                                                                                                                                                                                 6,000
                                                                                                                                                                                                                                                2,500
                                                                                                                                                                                                                                                       885
                                                                                                                                                                                                                                            10.000
                                                                                                                                                                                                                                              10,000
  Lehigh Portland Cement Co. (Mason City)
                                                                                                                                                                                                                                             10,000
                                                                                                                                                                                                       TOTAL
                                                                                                                                                                                                                                                421,271
 The following administrative penalties were paid last month:
                                                                                                                                                                                                            PROGRAM
                                                                                                                                                                                                                                                    AMOUNT
                                                    NAME/LOCATION
                                                                                                                                                                                                                                                           200
     Rome, City of
     Waste Management & Design, Inc. (Webster City)
  *Waste Management & Design, Inc. (Webster City)
Swiss Valley Farms (Dubuque)
Creston, City of
*Phil McMains (Appanose Co.)
*Tine Oil Co.; John and Diane Fine (Appanose Co.)
Dakota Mobile Home Park (Iowa City)
                                                                                                                                                                                                                    AQ
WW
                                                                                                                                                                                                                                                     5,000
                                                                                                                                                                                                                                                     1,000
                                                                                                                                                                                                                                                            600
                                                                                                                                                                                                                                                             500
                                                                                                                                                                                                            AQ/HC/WW
                                                                                                                                                                                                                                                            100
                                                                                                                                                                                                                     ΑQ
      Eldon Krambeck (Scott Co.)
                                                                                                                                                                                                            TOTAL
                                                                                                                                                                                                                                                     8,220
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DEPARTMENT OF NATURAL RESOURCES ENVIRONMENTAL PROTECTION COMMISSION ATTORNEY GENERAL REFERRALS April 1, 1995

Name, Location and Region Number		Program	Alleged Violation	DNR Action	New or Updated Status	Date
AMPC Lytton (3)		Wastewater	Operational Violations	Referred to Attorney General	Referred	8/10/94
Achenbach, Mark Rockford (2)		Underground Tank	Site Assessment	Order	Referred Petition Filed	6/20/94 8/22/94
Advanced Technologies Co Cedar Falls (1)	тр.	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed	3/21/94 8/29/94
American Asbestos Trainin Center, Ltd. Monticello (3)	g	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed	3/21/94 8/29/94
American Asbestos Trainin Center, Ltd. Cedar Rapids (1)	g	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed	7/22/94 8/29/94
Ampel Corporation Des Moines (5)		Air Quality	Construction Without Permit Permit Conditions	Referred to Attorney General	Referred Petition Filed Motion for Partial Summary Judgment DNR Motion to Disqualify Attorney Hearing Ruling/Defense Attorney Disqualified Trial Date	12/20/93 2/21/94 9/02/94 10/18/94 11/18/94 12/06/94 3/20/95
Bodwell, Robert Winterset (5)		Underground Tank	Site Assessment	Order/Penalty	Referred Petition Filed Trial Date	2/21/94 7/21/94 7/11/95
Browns, Jay Murray (5)	Updated	Underground Tank	Site Assessment	Order/Penalty	Referred Petition Filed Pretrial Conference Trial Date	6/20/94 8/24/94 4/07/95 4/11/95
Buffalo Bill Estates Clinton Co (6)	Updated	Drinking Water	Monitoring/Repoting MCL - Bacteria	Order/Penalty	Referred Petition Filed Consent Decree (\$1,000/Civil; \$1,135/ Admin. + Interest & Injunction)	8/15/94 11/16/94 3/29/95
Chicago & Northwestern Transportation Co. Blue Chip Enterprises Hawkeye Land Company Iowa Falls (2)	Updated	Hazardous Condition	Remedial Action	Order	Petition for Judicial Review Petition for Judicial Review Petition for Judicial Review Order/Change Venue to Hardin Co. Oral Arguments Order Affirmed Supreme Court Appeals Filed Oral Arguments Affirmed as Modified	8/19/91 8/14/91 9/16/91 11/21/91 3/10/93 4/23/93 5/23/93 9/15/94 3/29/95
Cota Industries, Inc. Cos Moines (5)	Updated	Hazardous Condition	Remedial Action	Order	Referred Petition for Judicial Review Order Granting Motion to Dismiss Notice of Appeal Affirmed by Supreme Court Petition Filed Motion for Default Judgment Motion for Summary Judgment Hearing on Motions Summary/Default Judgment	4/15/91 4/18/91 7/23/91 8/13/91 10/21/92 4/16/93 12/02/94 12/02/94 1/06/95 3/09/95
Des Moines, City of (5) / IDNR		Solid Waste	DNR Defendant	Defense	Petition Filed Application for Stay DNR Answer	1/18/94 1/18/94 2/08/94
Conomy Solar Corp. et. Madison (6)		Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed	3/21/94 8/29/94
conomy Solar Corp. Vaterioo (1)	-	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed	3/21/94 8/29/94
conomy Solar Corp. edar Rapids (1)		Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed	7/22//94 8/29/94
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Environmental Protection Commission Minutes DEPARTMENT OF NATURAL RESOURCES ENVIRONMENTAL PROTECTION COMMISSION ATTORNEY GENERAL REFERRALS April 1, 1995

ame, Location d Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
rvin, Don	G.V.I.W.	Operation Without	Order/Penalty	Referred Judgment for \$1,000	4/16/90 7/13/90
ebster County (2) Updated	Solid Waste	Permit	Older/I charry	Execution & Order to Levy	9/28/90 11/27/90
				Application to Condemn Funds Partial Payment Received (\$331)	11/30/90
		Permit	Referred to	Referred	9/16/91
		Violations	Attorney General	Temporary Injunction Order of Contempt	9/18/91 12/20/91
				Order Granting Stay	12/26/91
				Contempt Reversed (Court of Appeals)	9/29/92
				Application for Further Review	10/16/92 2/17/93
				Supreme Ct. Reversed Ct of Appeals Order to Serve Sentence	3/17/93
				Application for Hearing	3/18/93
				Order Denying Reconsideration of Sentence	3/19/93
				Partial Consent Decree Trial Date	1/10/95 5/26/95
iese, William iese Construction Co. t. Dodge (2)	Flood Plain Wastewater	Unauth. Construction Prohibited Discharge	Referred to Attorney General	Referred Petition Filed	7/18/94 10/12/94
			-	Trial Date	10/24/95
Serrison County Board	Solid Waste	Operating Violations	Referred to Attorney General	Referred Petition Filed	2/21/94 7/11/94
f Supervisors (4)	Solid Wasio	Operating violations			
luyser, James; Trust Trucking ovilia (5)	Underground Tank	Site Assessment	Referred to Attorney General	Referred	11/21/94
aternational Hydroform	Underground	Remedial	ž	Referred	5/17/93
ella (5)	Tank	Action	Order	Petition Filed Trial Date	1/18/94 4/04/95
ack Link Truck Line, Inc.	Underground	Closure		Referred	5/17/93
Oyersville (1)	Tank	Investigation	Order/Penalty	Petition Filed Trial Date	1/07/94 3/22/95
arvis, Marjoric and Terry Strong	Underground	Closure		Referred	11/15/93
Council Bluffs (4)	Tank	Investigation	Order	Petition Filed	2/14/94
Martinez, Vincent d/b/a	Hazardous	Remedial		Referred	2/17/92
Martinez Sewer Service Davenport (6)	Condition	Action	Order/Penalty	Petition Filed Partial Default Judgment (Injunction)	12/21/92 10/11/94
1.0. ± 0. ± 1.0.		Monitoring/Reporting-			
McCarty Creek Homeowners LeClaire (6)	Drinking Water	Lead & Copper	Order/Penalty	Referred	10/17/94
Moore, Ron d/b/a 53-180 Cafe		Mtrg/Rprtg		Referred	11/16/9
Malcom (5)	Drinking Water	Nitrate; Other	Order/Penalty	Payment Schedule (\$1,000/Admin.) Motion for Judgment	4/02/93 6/30/94
Northwood Cooperative Elevator,	Hazardous			Suit Filed	12/07/92
	Condition	DNR Defendant	Defense	DNR Answer	12/28/92
				Consolidation Order 215.1 Order	12/22/94
Worth Co. Co-op Oil				Suit Filed	12/07/93
-				DNR Answer Consolidation Order	12/28/92 3/10/93
				215.1 Order	12/22/94
Amoco				Suit Filed	12/15/92 1/04/93
				DNR Answer Consolidation Order	3/10/93
v. IDNR				215.1 Order	12/22/94
Rayburn Court for Mobile Homes		Monitoring/Reporting;			
Mason City (2)	Drinking Water	Lead & Copper	Order/Penalty	Referred	11/21/94
Reed, Verna and Don;				Referred	6/20/94
Andrea Silsby				Ketettea	8/10/9

Environmental Protection Commission Minutes DEPARTMENT OF NATURAL RESOURCES ENVIRONMENTAL PROTECTION COMMISSION ATTORNEY GENERAL REFERRALS April 1, 1995

Name, Location nd Region Number		Program	Alleged Violation	DNR Action	New or Updated Status	Date
Relative, Inc ; Doug Smuck Des Moines (5)		Underground Tank	Insurance Violation	Order/Penalty	Referred	10/17/94
Pruess, Harlan Cedar Co. (6)		Hazardous Condition	Clean-Up Costs	Defense	Suit Filed DNR Answer	7/27/93 8/13/93
Saak, Louis d/b/a Saak Oil Co.		Underground			Referred	3/21/94
Baxter (5)		Tank	Site Assessment	Order/Penalty	Petition Filed Trial Date	9/08/94 4/25/95
Durial Providence Contact					Referred	4/18/94
Smith, Franklin; Smith Oil Company		Underground			Petition Filed	7/25/94
Mt. Ayr (5)		Tank	Closure Investigation	Order/Penalty	Trial Date	5/16/95
Soldat, Mark S						
	Updated	Wastewater	DNR Defendent	Defense	Suit Filed	9/16/94
vs.					Petitioner's Motion for Partial	10/06/94
ovin.					Summary Judgment Answer	10/20/94
ONR					Hearing Date	10/31/94
					Ruling	11/03/94
					Order Implementing Ruling	12/23/94
					Motion Raising Jurisdiction Question	1/20/95
					Petition for Certiorari Writ Denied	1/23/95 2/17/95
						10/10/02
Troutman, Jerry L. & Richard					Referred	10/18/93 2/15/94
Van Buren Co. (6)	Updated	Solid Waste	Illegal Disposal	Order	Petition Filed Default Entered	9/29/94
,,					Delaun Encica	
				Referred to	Referred	11/15/93
Waterloo, City of (1)	Updated	Wastewater	Discharge Limits	Attorney General	Petition Filed	12/30/93
waterioo, City of (1)	- Cpuniou	***************************************			Motion for Partial Summary Judgment	1/27/95
Waterloo Community				Referred to	Referred	3/21/94
School District Waterloo (1)		Air Quality	Asbestos	Attorney General	Petition Filed	8/29/94
Wunschel Oil Co.; Vernus,		-				
Jaquellyn & Mark Wunschel Ida Grove (3)		Tank	Underground Site Assessment	Order/Penalty	Referred	1/17/95
V David						enano
Young, David Sierp Oil Company		Underground	Closure		Referred Petition Filed	5/17/93 12/14/93
Casey (5)		Tank	Investigation	Order/Penalty	reation filed	

DATE RECEIVED	NAME OF CASE	ACTION APPEALED PRO	OGRAM	ASSIGNED TO	STATUS
1-23-86	Oelwein Soil Service	Administrative Order	w	Murphy	Hearing continued; additional testing being done.
2-05-88	Warren County Brenton Bank	Administrative Order	UT	Wornson	Awaiting revised SCR.
10-20-88	Worth Co. Co-Op Oil Northwood Cooperative Elevator Sunray Refining and Marketing Co	.Administrative Order	НС	Murphy	Ruling on dismissal/intervention 11/16/92. Petition for Judicial Review. Judicial review hearing continued. Stipulation of 'dismissal being prepared.
6-08-89	Shaver Road Investments	Site Registry	HW	Murphy	Settlement proposed.
6-08-89	Hawkeye Rubber Mfg. Co.	Site Registry	HW	Murphy	Settlement proposed.
6-08-89	Lehigh Portland Cement Co.	Site Registry	HW	Murphy	Hearing continued. Discovery initiated.
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DATE RECEIVED	NAME OF CASE	ACTION APPEALED F	PROGRAM	ASSIGNED TO	STATUS
6-22-89	Chicago & Northwesten Transportation Co Hawkeye Land Co. Blue Chip Enterprises	Administrative Order	нс	Murphy	District court affirms Dept 4/23/93. Iowa Supreme Court decision 2/29/95.
10-24-89	Farmers Cooperative Elevator Association of Sheldon	Site Registry	HC	Murphy	Settlement near.
11-03-89	Bridgestone/Firestone, Inc.	Site Registry	нс	Murphy	Hearing continued pending negotiations.
5-08-90	Texaco Inc./Chemplex Co. Site	Site Registry	HW		Settlement proposed.
5-14-90	Van Dusen Airport Services	Administrative Order	нс		Compliance initiated.
5-14-90	Alter Trading Corp. (Council Bluffs)	Administrative Order	sw	Kennedy	Negotiating before filing.
5-15-90	Des Moines, City of	Administrative Order	HC	****	Hearing contined. Settlement proposed.
6-20-90	Des Moines, City of	NPDES Permit Cond.	W	Hansen	EPD met with City to resolve appeal issues. Follow-up meeting to be held.
7-02-90	Keokuk Savings Bank and Trust Keokuk Coal Gas Site	Site Registry	HW		Hearing continued.
7-30-90	Key City Coal Gas Site; & Howard Pixler	Site Registry	HW		Decision appealed (Pixler).
8-01-90	J.1. Case Company	Site Registry	HW	Preziosi	Hearing continued.
9-12-90	Michael & Joyce Haws; George H. Gronau	Administrative Order	UT	Wornson	New party has assumed liability. Will dismiss case upon completion of SCR.
10-15-90	Westside General Store Corp.	Administrative Order	UT	Wornson	Negotiating settlement.
10-18-90	Harlan Pruess	Claim	нс	Murphy	Case settled.
12-03-90	United States Gypsum Co. Smitty's Oil	Site Registry	нс	Preziosi	Negotiating before filing.
12-27-90	McAtee Tire Service, Inc.	Administrative Order	SW	Kennedy	Hearing continued.
1-07-91	Joe E. Eggers, Jr.; Joe and Mary Eggers	Administrative Order	sw	Kennedy	Hearing continued to further order.
1-09-91	Iowa Southern Utilities	Administrative Order	нс	Preziosi	Hearing continued indefinitely. Working towards settlement.
1-28-91	McDowell Dam #1	Administrative Order	FP	Clark	Negotiating before filing.
5-20-91	Great Rivers CoopLockridge	Site Registry	нс	Murphy	Settlement proposed.
7-24-91	Alter Trading Corp. (Davenport)	Administrative Order	SW	Kennedy	Negotiating before filing.
9-25-91	Archer Daniels Midland	Administrative Order	SW	Kennedy	Negotiating before filing.
1-17-92	Hickory Hollow Water Co.	Administrative Order	ws.	Hansen	Settlement offer to WS. Counter offer 7/13/93. Dept. response on 8/3/93. Facility response 8/11/93. 12/93 Dept. letter to attorney. Construction permit issued for fluoride removal. Facility to be installed by 10/30/94.
1-30-92	Center Oil Co., Inc.	Administrative Order	НС	Murphy	Negotiating before filing.
4-09-92	Wayne Transports, Inc.	Administrative Order	· w	Murphy	Negotiating before filing.
4-15-92	Mulgrew Oil Co.	Administrative Order	нс	Wornson	Settlement letter sent 8/31/94. SCR initiated.
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DATE RECEIVED	NAME OF CASE	ACTION APPEALED PRO	OGRAM	ASSIGNED TO	STATUS
4-24-92	Charles A. Kerr	Administrative Order	UT	Wornson	Financial inability claimed. Warning letter sent 1/25/95.
5-05-92	Plymouth Cooperative Oil Co.	Administrative Order	w	Murphy	Negotiating before filing.
5-12-92	Paris & Sons, Inc.	Site Registry	нс	Hurphy	Negotiating before filing.
5~15-92	Heartland Lysine, Inc.	Tax Certification	PA	Preziosi	Negotiating before filing.
5-27-92	Beckett Chevrolet-Olds	Administrative Order	UT	Wornson	Financial inability claimed. Claimant completing financial documents.
6-23-92	Chickasaw County Board of Supervisors, Chickasaw Co. SLF	Administrative Order	sw	Kennedy	Negotiating before filing.
8-06-92	Randy Bonin and Vickie Brannick	Administrative Order	SW	Kennedy	Negotiating before filing.
8-24-92	Dean Hoeness d/b/a Hoeness & Sons	Administrative Order	UT	Wornson	Financial inability claimed. Request documents.
9-21-92	ITWC	Administrative Order	AQ	Preziosi	Negotiating before filing.
9-22-92	King's Terrace MHP	Administrative Order	uu	Hansen	8/94-Letter to facility regarding resolution of appeal.
10-06-92	Lloyd Decker	Administrative Order	SW	Kennedy	Hearing set for 4/11/95.
10-12-92	Eldon Krambeck	Administrative Order	AQ	Preziosi	Settled.
11-13-92	Tracy Below	Administrative Order	w	Clark	Hearing continued.
11-16-92	Grand Laboratories Inc.	Administrative Order	W	Hansen	Unacceptable revised work plan submitted. Request acceptable plan by 4/29/94. Letter from facility's attorney 4/94. 5/94 letter to F.O. 3 from company regarding submittal of site assessment. 10/94 Letter to facility attorney regarding site assessment. 12/94 Letter from attorney - new work plan submitted to F.O. 3.
11-16-92	Frank Hulshizer	Administrative Order	SW	Kennedy	Negotiating before filing.
12-14-92	Quantum	Permit Conditions	w	Hansen	3/30/93 Dept. settlement offer made. 5/03/93 - response from company. Company collecting data. Company response submitted 12/93. EPb to review information regarding permit calculations.
1-22-93	Pirelli Armstrong Tire Co.	Administrative Order	SW	Kennedy	Negotiating before filing.
2-19-93	TRS Industries, Inc.; City of Des Moines	Administrative Order	SW	Kennedy	Decision received 9/13/93. Appealed to EPC. Affirmed 12/20/93. Petition for judicial review.
3/09-93	James, William d/b/a Bill James Agencies	Administrative Order	sw	Kennedy	Negotiating before filing.
3/11/93	Land Renu, Inc.	Administrative Order	SW	Wornson	Compliance complete. Negotiating penalty.
4/05/93	Mapleton, City of	WW Operator Certification	W	Hansen	Under review by EPD - letter drafted.
4/12/93	LeMars, City of	Administrative Order	w	Hansen	Plan of action submitted. Reviewed by EPD. Construction permit issued. 2/94-Schedule submitted by City for remaining construction.
4/19/93	Council Bluffs, City of	Permit Conditions	W	Hansen	Under review by EPD.
4/21/93	Donald Udell	Administrative Order	sw	Kennedy	Negotiating before filing.
4/26/93	Crane Co.	Administrative Order	SW	Kennedy	Negotiating before filing.
5/23/93	Fellmer Motors	Administrative Order	FP	Clark	Settled.

DATE RECEIVED	NAME OF CASE	ACTION APPEALED PR	ROGRAM	ASSIGNED TO	STATUS
6/21/93	Jacobs Energy Corp., Inc.	Permit Denial	AG	Preziosi	Negotiating before filing.
6/29/93	Met-Ray MHP and Sales	Administrative Order	w	Clark	Negotiating before filing.
7/06/93 7/28/93	Dennis E. Good Berniece K. Nease	Administrative Order	UT	Wornson	Negotiating before filing.
7/09/93	Оакнооd Park Water, Inc.	Administrative Order	ws	Hansen	Proposal by facility's attorney 7/13/93. Response by Dept. 8/3/93. Response by facility 8/11/93. 12/93 Dept. letter to attorney. Construction permit issued 2/94. Facility to be installed by 11/30/94.
7/20/93	Valley Restaurant/Sierp Oil; Mary & Carl Wierp; and Robert Radford	Administrative Order	UT	Wornson	Settlement reached. Awaiting signatures.
7/20/93	U.S. Dept. of Defense	Administrative Order	UT	Wornson	Negotiating before filing.
7/23/93	Blue Spruce Feedlots, Inc.	Administrative Order	w	Clark	Negotiating before filing.
8/03/93	Grain Processing Corp.	Administrative Order	AQ	Preziosi	Order rescinded.
8/06/93	Muscatine Power & Water	Administrative Order	AQ	Preziosi	Order rescinded.
8/06/93	Monsanto	Administrative Order	AQ	Preziosi	Settlement close.Drafting consent order.
8/24/93	Green Valley Chemical	Permit Conditions	w	Hansen	Company to do stream survey 8/94. Survey completed. Meeting to discuss survey 9/11/94. Survey being reviewed by EPD.
9/09/93	Ames Transit Authority	Permit Conditions	AQ	Preziosi	Negotiating before filing.
10/15/93	Bedford, City of	Plant Classification	w	Hansen	Under review by EPD.
11/15/93	J.P. Scherrman, Inc.	Administrative Order	UT .	Wornson	Penalty letter sent.
11/16/93	Iowa Southern Utilities	Permit Conditions	AQ	Preziosi	Settlement close.
11/22/93	Walnut Grove Water Co.	Administrative Order	ws	Hansen	Settlement offer sent to company's attorney. Offer accepted. Consent order sent for signatures. 5/96 order issued to facility. 11/7/94 contract entered into for funding of project to upgrade. 12/94 - Additional funding authorized by City - project ready to go. Project completed. Settlement agreement to water supply's attorney.
12/13/93	Lester R. Davis and Evelyn McKelvogue	Administrative Order	AQ/SW	Kennedy	Settlement pending.
12/23/93	Waverly Gravel & Ready-Mix aka Shell Rock Sand and Gravel	Administrative Order	AQ	Preziosi	Negotiating before filing.
1/03/94	Farmers Hybrid Co., Inc.	Administrative Order	w	Clark	Negotiating before filing.
1/06/94	L.F. Everett and Betty Everett	Administrative Order	PΑ	Preziosi	Negotiating before filing.
1/07/94	Eli Shada	Administrative Order	UT	Wornson	Negotiating before filing.
1/13/94	James and Robert Brock d/b/a B & B Oil Co.	Administrative Order	UT	Wornson	Briefs submitted to ALJ.
1/18/94	M & D Tire Processing, Inc.	Administrative Order	SW	Kennedy	Settlement pending.
1/18/94	Merrill, City of	Administrative Order	AQ	Preziosi	Settled.

Environmental Protection Commission Minutes Department of natural resources environmental protection commission confessed cases april 1, 1995

DATE RECEIVED	NAME OF CASE	ACTION APPEALED PROG	RAM	ASSIGNED TO	STATUS
1/19/94	Cottage Reserve Corp.	Permit Conditions	ws	Clark	Negotiating before filing.
1/20/94	Gene Phillips d/b/a Phillips Sanitation	Administrative Order	ΑQ	Preziosi	Negotiating before filing.
1/27/94	Archer-Daniels-Midland	Permit Conditions	AQ	Preziosi	Negotiating before filing.
2/02/94	John Deere Waterloo Works	Tax Certification	W	Hansen	Negotiating before filing.
2/09/94	Harold Lee	Administrative Order	w	Clark	Negotiating-before-filing.
2/14/94	Economy Solar Corp 94-AQ-04	Administrative Order	AQ	Preziosi	Petition for judicial review of agency action filed.
2/15/94	Riverside Plating	Administrative Order	w	Hansen	Settlement offer received from company regarding penalty.
2/21/94	Toys "R" Us	Administrative Order	UT	Wornson	Compliance inititated. Penalty appealed.
2/25/94	John Deere Waterloo Works	Administrative Order	AQ	Preziosi	Settlement close.
2/28/94	Coastal Mart Davenport	Administrative Order	υτ	Wornson	Deficient SCR. Letter sent. Penalty on appeal.
3/01/94	Parkwest Ltd.; Wilbur Numelin; Ricky Lee Anderson	Administrative Order	UT	Vornson	Consent order/settlement.
3/01/94	Enviro Safe Air, Inc.	Administrative Order	ρĄ	Preziosi	Settlement close.
3/03/9 4	Burlington Northern Railroad	Tax Certification	w	Hansen	Negotiating before filing.
3/08/94	Country Stores of Carroll, Ltd.; Elite Ltd.; Roger Kanne; James Pietig (Logan) (Coon Rapids)	Administrative Order	UT	Wornson	All SCRs received- negotiating penalty.
3/17/94	Arlo Becker d/b/a Becker's Auto Salvage	Administrative Order	AQ	Kennedy	Settlement pending.
4/19/94	Galva Union Elevator Co.	Administrative Order	UT	Vornson	Negotiating penalty.
5/09/94	Sara Lee Corporation	Administrative Order	W	Murphy	Negotiating before filing.
5/09/94	Farmers Hybrid Co., Inc.	Administrative Order	w	Clark	Negotiating before filing.
5/11/94	Creston, City of	Administrative Order	w	Hansen	Penalty paid. Resolved.
5/19/94	New Hampton, City of	Administrative Order	w	Murphy	Negotiating before filing.
5/27/94	Joseph L. Ranker; Darl Hollingsworth	Administrative Order	UT	Wornson	Demand letter before DIA referral.
6/03/94	Маquoketa, City of	Administrative Order	W	Hansen	11/4/94 Construction permit issued to facility for new facilit. Construction to begin immediately and be completed by summer of 1995. Construction of SBR units to be completed soon.
6/08/94	Larry & Kelly Miller	Administrative Order	UT	Wornson	Compliance initiated.
6/14/94	K-Mart Corp./Store #7261	Administrative Order	UT	Wornson	Compliance initiated.
6/15/94	Winfield Scott McKinney; Gary L. McKinney d/b/a Harmony Creek Farms	Administrative Order	w	Hansen	Hearing set for 5/21/95.
6/15/94	Lakeview Heights	Permit Conditions	WS	Hansen	Facility proposal under review by WS.
6/20/94	R.D.J. Farms and Donald Vogt	Administrative Order	UT	Wornson	Compliance initiated.
6/24/94	Griffith Oil Corp.	Administrative Order	UT	Vornson	Compliance initiated.
6/24/94	Larence Otto	Administrative Order	UT	Wornson	Compliance initiated.
7/01/94	Pella Construction Co.	Administrative Order	w	Hansen	Hearing set for 4/24/95.

Environmental Protection Commission Minutes DEPARTMENT OF NATURAL RESOURCES ENVIRONMENTAL PROTECTION COMMISSION CONTESTED CASES April 1, 1995

DATE ECEIVED	NAME OF CASE	ACTION APPEALED PROGR	RAM	ASSIGNED TO	STATUS
7/05/94	Iowa City Regency MHP	Administrative Order	ws	Clark	Negotiating before filing.
7/07/94	Rose Bar Tire Shredding	Administrative Order	sw	Kennedy	In bankruptcy.
7/12/94	Woodlyn Hills	Administrative Order	ws	Kansen	2/3/95-Letter to water supply regarding appeal. 2/20/95-Response - compliance inititated.
7/12/94	Tom Wiseman	Administrative Order	UT	Wornson	New case. Appeal untimely.
7/15/94	Village Oaks Homeowners	Administrative Order	WS	Hansen	Negotiating before filing.
7/18/94	Yiri Li	GW Professional Denial	UT	Wornson	Negotiating settlement.
7/19/94	Lakewood Utilities	Administrative Order	ws	Clark	Negotiating before filing.
7/21/94	Hickory Hills Subdivision	Administrative Order	ws	Hansen	3/95 letter to facility regarding appeal.
7/25/94	South High Point Well #2	Administrative Order	WS	Clark	Negotiating before filing.
7/25/94	Kesslers Homeowners Assn.	Administrative Order	ws	Clark	Negotiating before filing.
7/25/94	Riverview Estates	Administrative Order	WS	Hansen	Negotiating before filing.
7/25/94	ACC Chemical Co. Getty Chemical Co.	Permit Conditions	w	Hansen	Hearing continued to 7/95 at facility's reques
7/27/94	Twin View Heights 5282301	Administrative Order	ws	Hansen	11/14/94 Letter to facility regarding settlement. 12/94 Response from facility - working toward compliance.
8/09/94	Cherry Hills Subdivision	Administrative Order	ws	Clark	Settlement close.
8/10/94	Edinburgh Manor	Administrative Order	ws	Clark	Negotiating before filing.
8/12/94	Windy Ridge Well Assn.	Administrative Order	WS	Clark	Negotiating before filing.
8/12/94	Karl and Thelma Boylan d/b/a Boylan's Service	Administrative Order	υτ	Wornson	Referred to DIA.
8/18/94	Thomas Scheetz d/b/a The Depot Food & Fuel	Administrative Order	UT	Wornson	Compliance initiated.
8/29/94	Atlantic, City of	Administrative Order	W	Hansen	Under review by EPD.
8/29/94	B and B Tire and Oil	Administrative Order	UT	Wornson	Negotiating before filing.
8/30/94	HWH Corporation	Permit Denial	PA	Preziosi	Negotiating before filing.
9/01/94	Elmer R. Faust d/b/a Faust Garage & Grocery	Administrative Order	UT	Wornson	Compliance inititated.
9/02/94	Crabtree Lake Resort	Administrative Order	w	Hansen	Compliance with AO initiated.
9/02/94	Jay Anderberg; Diane McKellip	Administrative Order	UT	Wornson	Proposed decision.
9/06/94	HEW, inc.	Administrative Order	ΑQ	Preziosi	Negotiating before filing.
9/09/94	American Coals Corp.	Administrative Order	SW/AQ	Kennedy	Bankruptcy filed.
9/12/94	Rome Water Supply	Administrative Order	WS	Clark	Penalty paid. Settled.
9/15/94	David L. Schutz	Administrative Order	w	Clark	Negotiating before filing.
9/15/94	Bankston	Administrative Order	WS	Hansen	1/95-Information from City. Compliance initiated.
9/16/94	Wunschel Oil Co.; Vernus Wunschel; Jacquelyn Wunschel; Mark Wunschel (Ida Grove)	Administrative Order	UT	Wornson	Consent order - compliance initiated.

DATE RECEIVED	NAME OF CASE	ACTION APPEALED PROG	GRAM	ASSIGNED TO	STATUS
9/19/94	Burke Marketing Corp.	Administrative Order	w	Hansen	Informal meeting 3/2/95.
9/23/94	Chicago and Northwestern Transportation Co.	Administrative Order	SH/WW	Murphy	Hearing set for 6/27/95.
9/26/94	James D. Foust	Administrative Order	SW	Kennedy	Negotiating before filing.
10/07/94	Titan Wheel International	Administrative Order	w	Hansen	Titan to submit revised BMR report.
10/17/94	First United Methodistt Church	Administrative Order	AQ	Preziosi	Negotiating before filing.
10/19/94	Ronald Sizemore; Mark Murphy	Administrative Order	UT	Wornson	Negotiating before filing.
10/25/94	Mike Murphy d/b/a Hawley Heating & Air	Administrative Order	AQ	Preziosi	Negotiating before filing.
10/26/94	Boomsma's Inc.	Administrative Order	w	Clark	Negotiating before filing.
10/26/94	A. J. DeCoster	Administrative Order	w	Clark	Negotiating before filing.
10/26/94	Boomsma's Inc.	Administrative Order	AQ	Preziosi	Negotiating before filing.
10/26/94	A. J. DeCoster	Administrative Order	ΑQ	Preziosi	Negotiating before filing.
10/27/94	George Dolan	Administrative Order	UT	Wornson	Negotiating before filing.
10/27/94	Chuck Winder d/b/a E.D.O., Inc.	Administrative Order	AQ	Preziosi	Negotiating before filing.
10/31/94	Woodbury Co. Highway Dept.	Administrative Order	υτ	Wornson	Negotiating before filing.
10/31/94	Keith Owens; Howard Maurer	Administrative Order	UT	Wornson	Referred to DIA.
11/02/94	Richard Waugh	Administrative Order	UT	Wornson	Compliance/negotiating penalty.
11/07/94	Jerry Smith; Norma S. Nelson	Permit Issuance	FP	Clark	Hearing set for 4/20/95.
11/10/94	Williams Pipeline Company	Permit Denial	AQ	Preziosi	Negotiating before filing.
11/14/94	Tom Babinat d/b/a Tom's Car Care	Administrative Order	UT	Wornson	Negotiating before filing.
11/23/94	Walnut Acres Campground; Fred and Fran Iben	Permit Issuance	FP	Clark	Negotiating before filing.
11/28/94	Richard Beckett	Administrative Order	UT	Wornson	Negotiating before filing.
11/30/94	Welch Oil, Inc.	Administrative Order	UT	Wornson	Hearing set for 4/10/95.
12/02/94	Bork Transport, Inc.	Administrative Order	UT	Wornson	Reviewing settlement offer.
12/14/94	Campbell Clean-Up Service	Permit Denial	AQ	Preziosi	Negotiating before filing.
1/10/95	Steamboat Rock	Administrative Order	WS	Hansen	2/95-Settlement offer by City and response by Dept.
1/11/95	Henry and Randy Krohn d/b/a Krohn Construction	Administrative Order	AQ/SW	Kennedy	Negotiating before filing.
1/13/95	Gilmore City-Bradgate Community School District	Administrative Order	AQ	Preziosi	Negotiating before filing.

DATE RECEIVED	NAME OF CASE	ACTION APPEALED PROC	GRAM	ASSIGNED TO	STATUS
1/13/95	James and Roxann Neneman	Administrative Order	UT	Wornson	Inability to pay. Forms sent.
1/13/95	Simonsen Industries, Inc.	Administrative Order	w	Hansen	2/28/95-Submittal by facility's engineer regarding land application of sludge.
1/13/95	Sherman Water & Roads	Administrative Order	ws	Clark	Negotiating before filing.
1/20/95	Hubert Vote d/b/a Vote House Moving	Administrative Order	AQ	Preziosi	Negotiating before filing.
1/20/95	Allan Brandhoij d/b/a Brandhoij Construction	Administrative Order	AQ	Preziosi	Negotiating before filing.
2/07/95	Michael J. Reding	Administrative Order	W	Clark	Negotiating before filing.
2/14/95	Dennis Sharkey d/b/a Sharkey's Building Wrecking	Administrative Order	AQ	Preziosi	Negotiating before filing.
2/17/95	Irvin Leichty	Administrative Order	w	Clark	Settlement close.
2/23/95	Woden-Crystal Lake Community School District	Administrative Order	AQ	Preziosi	Negotiating before filing.
2/23/95	Lehigh Portland Cement	Permit Conditions	w	Hansen	Negotiating before filing.
2/27/95	Sale-R-Villa Construction	Administrative Order	AQ	Preziosi	Negotiating before filing.
3/23/95	Lehigh Portland Cement	Administrative Order	AQ	Preziosi	New case.
3/23/95	American Coals Corp.	Administrative Order	SW	Kennedy	New case.

Mr. Stokes reviewed the reports.

Rozanne King noted that last month the Commission deferred the Household Batteries rule for 90 days but the current rulemaking status report does not reflect the change in dates.

Mr. Stokes acknowledged noted that those changes will be made to the report.

Charlotte Mohr asked if the Harlan Pruess case has been settled.

Mike Murphy stated that the department agreed to go to mediation and subsequently agreed to a settlement during that mediation. The department had previously collected \$6,700 through the lien which had been filed, and in mediation accepted an additional \$1,500. He related that a total of \$8,200 was collected, and the balance will probably not be recovered unless something is received from the federal agencies involved, which is doubtful.

Rozanne King asked about the referral on Chicago & NW Transportation, Blue Chip Enterprises, and Hawkeye Land Company.

Mr. Murphy stated that the department received a decision from the Iowa Supreme Court at the end of March. In that case, the department had ordered all three companies to do the cleanup of a railroad yard that had a lot petroleum products in it. Favorable rulings were received through the Iowa District Court, but the Iowa Supreme Court indicated that it was valid with Chicago & NW but that the department is supposed to attempt to apportion liability according to the degree of causation among the parties. He added that the department had not done that in thepast as we did not think that we had the authority to do that. He related that the ruling let Hawkeye Land Company off the hook and indicated that the current property owners are liable to the extent of performing a site assessment and developing a remediation plan. Mr. Murphy stated that the current property owners, in this type of situation, are not liable for remediation if they had no part in causing the problem. He indicated that at this point the department is waiting to see if any of the parties ask for a review by a full body of the Supreme Court, as the decision was made by a partial body. He noted that the department does not plan to ask for a review and if there is no further appeal, that decision will be final and staff will have to amend the Order according to the ruling.

Discussion followed regarding the cause and extent of contamination and current property owner responsibility.

INFORMATIONAL ONLY

PROPOSED RULE--CHAPTER 61, WATER QUALITY STANDARDS COE REGIONAL SECTION 404 PERMITS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be presented with a draft Notice of Intended Action which would initiate rule making to provide Section 401 water quality certification for three (3) Corps of Engineers' Section 404 regional permits. The three regional permits in question are not new permits but, instead, are regional permits previously issued by the Rock Island District which have expired or will expire in the near future. The rule change being proposed will indicate that the Commission has provided Section 401 certification for the three Regional Permits.

The activities authorized by the three Regional Permits is briefly described below:

- Regional Permit #1 Construction of small boat docks along the Des Moines River
- Regional Permit #7 Fill associated with bridge projects
- Regional Permit #23 Boat docks and related miscellaneous structures (e.g., lifts, winches, walkways) along the Mississippi.

The Commission previously provided Section 401 certification for three other regional permits as well as all 26 nationwide permits.

(A copy of the rule is on file in the department's Records Center)

Mr. Stokes distributed copies of the proposed rule and explained same. He pointed out that next month the item will contain only Regional Permit #7. He related that the COE erred in sending a notice and Regional Permits #1 and #23 are not covered under Section 404 of the Clean Water Act, and they do not require 401 certification. He noted that because of the noncontroversial and simple nature of this rule staff will not propose to hold a public hearing. A notice will be provided and will allow 30 days for public written comment.

INFORMATIONAL ONLY

PROPOSED RULE--CHAPTERS 20 & 22, VOLUNTARY OPERATING PERMIT RULE REVISIONS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

Attached is a draft Notice of Intended Action which proposes to amend Chapter 20, "Scope of Title - Definitions - Forms - Rules of Practice," and Chapter 22, "Controlling Pollution," Iowa Administrative Code.

The purpose of these amendments is to establish a definition of the term "12-month rolling period" and to revise and clarify the terms and conditions under which a source is eligible for a voluntary operating permit. The amendments also add a provision establishing that requirements included in a voluntary permit shall be enforceable as a practical matter under the state implementation plan.

This Notice is being provided to the Commission for information only at this meeting. The Commission will be asked to approve a Notice of Intended Action to begin formal rule making at their May 1995 meeting.

ENVIRONMENTAL PROTECTION COMMISSION [567]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 455B.133, the Environmental Protection Commission hereby gives Notice of Intended Action to amend Chapter 20, "Scope of Title - Definitions - Forms - Rules of Practice," and Chapter 22, "Controlling Pollution," Iowa Administrative Code.

The purpose of these amendments is to establish a definition of the term "12-month rolling period" and to revise and clarify the terms and conditions under which a source is eligible for a voluntary operating permit. These amendments add a definition to 20.2(455B) and 22.100(455B) for "12-month rolling period" providing a general definition applicable to this title and specifically to the voluntary operating permit program.

These amendments establish the conditions under which fugitive emissions must be considered in evaluating a source's emissions for the purpose of determining whether a source is eligible for a voluntary operating permit.

These amendments also restrict sources that are specifically required by Federal rule to obtain a Title V operating permit from obtaining a Voluntary operating permit.

Also included is a provision establishing that requirements included in a voluntary permit shall be enforceable as a practical matter under the state implementation plan.

Any person may make written suggestions			
. Written comments	should be directed	to Catharine Fitzsin	nmons, Iowa
Department of Natural Resources, Wallace	State Office Buildin	g, 900 East Grand	Avenue, Des
Moines, Iowa 50319-0034, FAX (515) 281-			
A public hearing will be held on	at	in	, at
which time comments may be submitted ora			
hearing or mobility impairments, should co the Department of any specific needs.	•		
These rules may impact small businesses.			
These rules are intended to implement Iow	va Code section 455E	3.133.	
The following amendments are proposed.			

ITEM 1. Amend rule 20.2 by adding the following unnumbered paragraph:

"12-month rolling period" means a period of twelve consecutive months determined on a rolling basis with a new 12 month period beginning on the first day of each calendar month.

ITEM 2. Amend rule 22.100 by adding the following unnumbered paragraph:

"12-month rolling period" means a period of twelve consecutive months determined on a rolling basis with a new 12 month period beginning on the first day of each calendar month.

ITEM 3. Amend rule 22.200 as follows:

567--22.200(455B) Definitions for voluntary operating permits. For the purposes of rules 22.200(455B) to 22.207(455B) 22.208(455B), the definitions shall be the same as the definitions found at rule 22.100(455B).

ITEM 4. Amend paragraphs 22.201(1)"a" through "d" as follows:

- a. That the potential to emit, as limited by the conditions of air quality permits obtained from the department, of each regulated air pollutant shall be limited to less than 100 tons per 12-month rolling period. The fugitive emissions of each regulated air pollutant from a stationary source shall not be considered in determining the potential to emit unless the source belongs to one of the stationary source categories listed in this chapter;
- b. That the actual emissions of each regulated air pollutant have been and are predicted to be less than 100 tons per 12-month rolling period. The fugitive emissions of each regulated air pollutant from a stationary source shall not be considered in determining the actual emissions unless the source belongs to one of the stationary source categories listed in this chapter; and
- c. That the potential to emit of each regulated hazardous air pollutant, including fugitive emissions, shall be less than 10 tons per 12-month rolling period and the potential to emit of all regulated hazardous air pollutants, including fugitive emissions, shall be less than 25 tons per 12-month rolling period; and
- d. That the actual emissions of each regulated hazardous air pollutant, including fugitive emissions, have been and are predicted to be less than 10 tons per 12-month rolling period and the actual emissions of all regulated hazardous air pollutants, including fugitive emissions, have been and are predicted to be less than 25 tons per 12-month rolling period.

ITEM 5. Amend paragraph 22.201(2)"a" as follows:

a. Any affected source subject to the provisions of Title IV of the Act or sources required to obtain a Title V operating permit under paragraph 567--22.101(1)"e" or any solid waste incinerator unit required to obtain a Title V operating permit under section 129(e) of the Act is not eligible for a voluntary operating permit.

ITEM 6. Amend paragraph 22.106(2)"c" as follows:

c. All emission limitations, all controls, and all other requirements included in a voluntary permit shall be at least as stringent as any other applicable limitation or requirement in the state implementation plan or enforceable as a practical matter under the state implementation plan. For the purposes of this paragraph, "enforceable as a practical matter under the state implementation plan" shall mean that the provisions of the permit shall specify technically accurate limitations and the portions of the source subject to each limitation; the time period for the limitation (hourly, daily, monthly, annually); and the method to determine compliance including appropriate monitoring, record keeping and reporting.

Mr. Stokes explained the proposed rule in detail. He clarified under Item 6, it should be corrected to read 22.206(2) rather than 22.106(2) and will be reflected in the agenda item next month.

Brief discussion followed.

INFORMATIONAL ONLY

PROPOSED RULE--CHAPTERS 22 & 23, STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

Attached is a draft Notice of Intended Action which proposes to amend Chapter 22, "Controlling Pollution," and to add a new rule to Chapter 23, "Emission Standards for Contaminants," Iowa Administrative Code.

The purpose of this rule-making is to update references to federal regulations and to adopt, by reference, the federal standards for hazardous air pollutants for source categories.

The hazardous air pollutant standards are required to be adopted by the state as a part of the Title V Operating permit program delegation of authority. Section 112(l) of the federal Clean Air Act (CAA), as amended in 1990, establishes the mechanism necessary for the state to meet the obligation to administer these standards. In accord with Section 112(l) all current federal standards for hazardous air pollutants for source categories must be adopted by the state at the time of Title V program approval. As additional federal standards are issued, the state will be required to adopt, by reference, federal standards for hazardous air pollutants for additional source categories (174 in total). Specific hazardous air pollutants listed in Title III of the Clean Air Act Amendments of 1990 are regulated for the designated source categories.

This rule also adopts, by reference, 40 CFR Part 63 Subpart B, as required for administration of the Title V operating permit program. This Subpart establishes requirements regulating major sources of hazardous air pollutants in the event that EPA lags more than 18 months behind schedule (112(d)) in issuing a control technology standard for an industry. Upon this 18 month deadline, the owner or operator of each major source with emission units in that category must apply for a case-by-case determination of the maximum achievable control technology (MACT). MACT determinations for emission units subject to case-by-case determination of equivalent emission limitations must be incorporated into the Title V operating permit for the affected source. The rule also establishes a requirement that sources come into compliance with standards subsequently issued by EPA under 40 CFR 63, and adopted by the state, in cases where a case-by-case MACT is in the process of being applied for or has already been incorporated into an operating permit.

This rule also adopts by reference 40 CFR 63 Subpart D, as required for administration of the Title V operating permit program. This Subpart establishes the conditions under which sources may voluntarily elect to reduce the emissions of hazardous air pollutants in exchange for a compliance extension.

This notice is is being provided to the Commission for information only at this meeting. The Commission will be asked to approve a Notice of Intended Action to begin rule making at their May 1995 meeting..

ENVIRONMENTAL PROTECTION COMMISSION [567] Notice of Intended Action

Pursuant to the authority of Iowa Code section 455B.133, the Environmental Protection Commission hereby gives Notice of Intended Action to amend Chapter 22, "Controlling Pollution," and Chapter 23, "Emission Standards," Iowa Administrative Code. The purpose of this rule-making is to update references to federal regulations and to adopt, by reference, the federal standards for hazardous air pollutants for source categories. The hazardous air pollutant standards are required to be adopted by the state as a part of the Title V Operating permit program delegation of authority. Section 112(1) of the federal Clean Air Act Amendments of 1990 establishes the mechanism necessary for the state to meet the obligation to administer these standards. In accord with Section 112(1) all current federal standards for hazardous air pollutants for source categories must be adopted by the state at the time of Title V program approval. Standards may apply to major sources, area sources or both.

The federal standards (40 CFR Part 63) to be adopted include: General Provisions (Subpart A), Synthetic Organic Chemical Manufacturing Industry (Subparts F, G, H, and I), Coke Ovens (Subpart L), Dry Cleaners (Subpart M), Hard and Decorative Chromium Electroplating and Anodizing Tanks (Subpart N), Ethylene Oxide Commercial Sterilizers and Fumigation Operations (Subpart O), Chromium Emissions from Industrial Process Cooling Towers (Subpart Q), Gasoline Distribution Facilities (Subpart R), Halogenated Solvent Cleaning Machines (Subpart T), Epoxy Resins Production and Non-Nylon Polyamides Production (Subpart W), and Magnetic Tape Manufacturing Operations (Subpart EE).

Subpart B, requirements for control technology determinations for major sources in accordance with Clean Air Act sections 112(g) and 112(j), establishes requirements for regulation of major sources of hazardous air pollutants in the event that EPA lags more than 18 months behind the schedule established in 112(d) for issuing a control technology standard for a source category. If EPA has failed to promulgate a standard for that source category by 18 months after the 112(d) deadline, the owner or operator of each major source with emission units in that category must apply for a case-by-case determination of the maximum achievable control technology (MACT) from the state.

Subpart D, regulations governing compliance extensions for early reductions of hazardous air pollutants, establishes the conditions under which sources may voluntarily elect to reduce the emissions of hazardous air pollutants in exchange for a compliance extension.

Any person may make written suggestions or comments on the proposed rules on or before ______. Written comments should be directed to Catharine Fitzsimmons, Iowa Department of Natural Resources, Wallace State Office Building, 900 East Grand Avenue, Des

Moines,	Iowa 50319-0034 at	4, FAX (515) 281-889: in	5. A public hearing will be a , at which time comments	
submitte	d orally or in writing	<u> </u>		·
hearing of		nents, should contact the	ng and have special requirements, Department of Natural Resources t	
These r	rules may impact sn	nall businesses.		
These r	rules are intended to	o implement Iowa Code se	ection 455B.133.	

The following rules are proposed:

ITEM 1. Amend the first paragraph of 22.5(2)"a" as follows:

a. Particulate matter nonattainment areas. If a major source or major modification is proposed to be constructed in an area designated nonattainment for particulate matter in 40 CFR §81.316 (as amended through March 10, 1994 April 11, 1994), then emission offsets must be achieved prior to startup.

ITEM 2. Amend the first paragraph of 22.5(2)"b" as follows:

b. Sulfur dioxide nonattainment areas. If a major source or major modification is proposed to be constructed in an area designated nonattainment for sulfur dioxide in 40 CFR §81.316 (as amended through March 10, 1994 April 11, 1994), then emission offsets must be achieved prior to startup.

ITEM 3. Amend the following definitions in rule 567--22.100 as follows:

"Applicable requirement" includes the following:

1. Any standard or other requirement provided for in the applicable implementation plan approved or promulgated by EPA through rule making under title I of the Act that implements the relevant requirements of the Act, including any revisions to that plan promulgated in 40 CFR 52 as amended through July 30, 1993 August 4, 1994;

"Designated representative" means a responsible natural person authorized by the owner(s) or operator(s) of an affected source and of all affected units at the source, as evidenced by a certificate of representation submitted in accordance with Subpart B of 40 CFR Part 72 as amended to July 30, 1993 November 22, 1994, to represent and legally bind each owner and operator, as a matter of law, in matters pertaining to the acid rain program. Whenever the term "responsible official" is used in rules 22.100(455B) to 22.116(455B) 22.208(455B), it shall be deemed to refer to the designated representative with regard to all matters under the acid rain program.

"EPA reference method" means any method of sampling and analyzing for an air pollutant as described in 40 CFR 51, Appendix M, as amended through July 20, 1993 January 5, 1995; 40 CFR 52, Appendices D and E, as amended through July 20, 1993 August 4, 1994; 40 CFR 60 Appendix Appendices A, B, C, and F, as amended through May 17, 1993 December 15, 1994;

40 CFR 61, Appendix B, as amended through June 25, 1993 July 15, 1994; 40 CFR 63, Appendix A, as amended through October 27, 1993 March 8, 1995; and 40 CFR 75, Appendices A, B, and H, and amended through July 20 1993 August 18, 1994.

"Existing hazardous air pollutant source" means any source as defined in 40 CFR 61 (as amended through June 25, 1993 July 15, 1994) and 40 CFR 63.72 (as amended through October 27, 1993 March 8, 1995) with respect to section 112(i)(5) of the Act, the construction or reconstruction of which commenced prior to proposal of an applicable section 112(d) standard.

ITEM 4. Amend paragraph 22.103(1)"a" as follows:

a. An emission unit which has the potential to emit less than:

4000 lbs per year of carbon monoxide,

1600 lbs per year of nitrogen oxides,

1600 lbs per year of sulfur dioxides,

1000 lbs per year of particulate matter,

600 lbs per year of PM-10,

1600 lbs per year of volatile organic compounds,

24 lbs per year of lead,

120 lbs per year of fluorides,

280 lbs per year of sulfuric acid mists,

400 lbs per year of total reduced sulfur compounds,

20 lbs per year of any hazardous air pollutant except high-risk pollutants, or

20 lbs per year of any high-risk air pollutant divided by the weighting factor defined in 40 CFR 63.74, Table 1, as adopted December 29, 1992 established in the definition of "High risk pollutant" in 567--22.100.

ITEM 5. Amend subrule 22.105(3) as follows:

22.105(3) Hazardous air pollutant early reduction application. Anyone requesting a compliance extension from a standard issued under 112(d) of the Act must submit with its Title V permit application information that complies with the requirements of 40 CFR 63, Subpart D, as amended through October 27, 1993 established in 567--23.1(4)"d."

ITEM 6. Amend paragraph 22.107(1)"c" as follows:

c. Prioritization of applications. The director shall give priority to action on Title V applications involving construction or modification for which a construction permit pursuant to subrule 22.1(1) or Title I of the Act, Parts C and D, is also required. The director also shall give priority to action on Title V applications involving early reduction of hazardous air pollutants pursuant to 40 CFR 63, Subpart D, as amended through October 27, 1993 567--23.1(4)"d."

ITEM 7. Amend subrule 22.107(5) as follows:

22.107(5) Hazardous air pollutant early reduction application evaluation review will follow the procedures contained in 40 CFR 63, Subpart D, as amended through October 27, 1993 established in 567-- 23.1(4)"d."

ITEM 8. Insert the following <u>new</u> subrule 567--23.1(4)(455B) and renumber subrules 567--23.1(4)(455B) to 567--23.1(5)(455B).

- 23.1(4) Emission standards for hazardous air pollutants. The federal standards for emissions of hazardous air pollutants for source categories, 40 Code of Federal Regulations Part 63 as amended through March 8, 1995 are adopted by reference, except 40 CFR § 63.12, 63.14, 63.15, and shall apply to the following affected facilities. The corresponding 40 CFR Part 63 Subpart designation is in parentheses. Test methods (Appendix A), sources defined for early reduction provisions (Appendix B), and determination of the fraction biodegraded (Fbio) in a biological treatment unit (Appendix C) of Part 63 also apply to the affected activities or facilities. For the purpose of this subrule "hazardous air pollutant" has the same meaning found in 567--22.100. For the purposes of this subrule a "major source" means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants, unless a lesser quantity is established, or in the case of radionuclides, where different criteria are employed. For the purposes of this subrule an "area source" means any stationary source of hazardous air pollutants that is not a major stationary source as defined in this paragraph. Paragraph 23.1(4)"a," general provisions (Subpart A) of Part 63, shall apply to owners or operators who are subject to subsequent subparts of 40 CFR 63 (except when otherwise specified in a particular subpart or in a relevant standard) as adopted by reference below.
- a. General provisions. General provisions apply to owners or operators of affected activities or facilities except when otherwise specified in a particular subpart or in a relevant standard. (Subpart A)
- b. Requirements for control technology determinations for major sources in accordance with Clean Air Act sections 112(g) and 112(j). The owner or operator of a new or existing major source of hazardous air pollutants which includes one or more stationary sources included in a source category or subcategory for which the U.S. Environmental Protection Agency has failed to promulgate an emission standard within 18 months of the deadline established under 112(d) must submit an application for a Title V permit or an application for a significant permit modification or for an administrative amendment, whichever is applicable. The application must be made in accordance with procedures established under Title V, by the section 112(j) deadline. In addition, the owner or operator of a new emission unit may submit an application for a Notice of MACT Approval before construction. (Subpart B)

c. [Reserved]

d. Compliance extensions for early reductions of hazardous air pollutants. Compliance extensions for early reductions of hazardous air pollutants are available to certain owners or operators of an existing sources who wish to obtain a compliance extension from a standard issued under section 112(d) of the Act. (Subpart D)

e. [Reserved]

- f. Emission standards for organic hazardous air pollutants from the synthetic chemical manufacturing industry. These standards apply to chemical manufacturing process units that are part of a major source. Includes applicability provisions, definitions and other general provisions that are applicable to subparts F, G, and H of 40 CFR 63. (Subpart F)
- g. Emission standards for organic hazardous air pollutants from the synthetic organic chemical manufacturing industry for process vents, storage vessels, transfer operations, and waste water.

These standards apply to all process vents, storage vessels, transfer racks, and wastewater streams within a source subject to subpart F of 40 CFR 63. (Subpart G)

- h. Emission standards for organic hazardous air pollutants for equipment leaks. These standards apply to emissions of designated organic hazardous air pollutants from specified processes that are located at a plant site that is a major source. Affected equipment includes: pumps, compressors, agitators, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, surge control vessels, bottoms receivers, instrumentation systems and control devices or systems required by this subpart that are intended to operate in organic hazardous air pollutant service 300 hours or more during the calendar year within a source subject to the provisions of a specific subpart in 40 CFR part 63. (Subpart H)
- i. Emission standards for organic hazardous air pollutants for certain processes subject to negotiated regulation for equipment leaks. These standards apply to emissions of designated organic hazardous air pollutants from specified processes that are located at a plant site that is a major source. Subject equipment includes pumps, compressors, agitators, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, and instrumentation systems at certain source categories. These standards establish the applicability of subpart H for sources that are not classified as synthetic organic chemical manufacturing industries. (Subpart I)
 - j. [Reserved]
 - k. [Reserved]
- 1. Emission standards for coke oven batteries. These standards apply to existing coke oven batteries, including by-product and nonrecovery coke oven batteries and to new coke oven batteries, or as defined in the subpart. (Subpart L)
- m. Perchloroethylene air emission standards for dry cleaning facilities. These standards apply to the owner or operator of each dry cleaning facility that uses perchloroethylene. New and existing major source dry cleaning facilities are required to control emissions to the level of the maximum achievable control technology (MACT). New and existing area source dry cleaning facilities are required to control emissions to the level achieved by generally available control technologies (GACT) or management practices. All coin-operated dry cleaning machines are exempt from the requirements of this subpart. (Subpart M)
- n. Emission standards for chromium emissions from hard and decorative chromium electroplating and chromium anodizing tanks. These standards apply limit the discharge of chromium compound air emissions from existing and new hard chromium electroplating, decorative chromium electroplating, and chromium anodizing tanks at major and area sources. (Subpart N)
- o. Emission standards for hazardous air pollutants for ethylene oxide commercial sterilization and fumigation operations. New and existing major source ethylene oxide commercial sterilization and fumigation operations are required to control emissions to the level of the maximum achievable control technology (MACT). New and existing area source ethylene oxide commercial sterilization and fumigation operations are required to control emissions to the level achieved by generally available control technologies (GACT). Certain sources are exempt as described in 40 CFR 63.360. (Subpart O)
 - p. [Reserved]
- q. Emission standards for hazardous air pollutants for industrial process cooling towers. These standards apply to all new and existing industrial process cooling towers that are operated with

chromium-based water treatment chemicals on or after September 8, 1994 and are either major sources or are integral parts of facilities that are major sources. (Subpart Q)

- r. Emission standards for hazardous air pollutants for sources categories: Gasoline distribution: (Stage 1). These standards apply to all existing and new bulk gasoline terminals and pipeline breakout stations that are major sources of hazardous air pollutants or are located at plant sites that are major sources. (Subpart R)
 - s. [Reserved]
- t. Emission standards for hazardous air pollutants: Halogenated solvent cleaning. These standards require batch vapor solvent cleaning machines and in-line solvent cleaning machines to meet emission standards reflecting the application of maximum achievable control technology (MACT) for major and area sources; area source batch cold cleaning machines are required to achieve generally available control technology (GACT). The subpart regulates the emissions of the following halogenated hazardous air pollutant solvents: methylene chloride, perchloroethylene, trichloroethylene, 1,1,1-trichloroethane, carbon tetrachloride, and chloroform. (Subpart T)
 - u. [Reserved]
 - v. [Reserved]
- w. Emission standards for hazardous air pollutants for epoxy resins production and non-nylon polyamides production. These standards apply to all existing, new and reconstructed manufacturers of basic liquid epoxy resins and manufacturers of wet strength resins that are located at a plant site that is a major source. (Subpart W)
 - x. [Reserved]
 - y. [Reserved]
 - z. [Reserved]
 - aa. [Reserved]
 - bb. [Reserved]
 - cc. [Reserved]
 - dd. [Reserved]
- ee. Emission standards for magnetic tape manufacturing operations. These standards apply to major sources performing magnetic tape manufacturing operations. (Subpart EE)

Mr. Stokes explained that these rules provide updates to keep the department rules in accordance with federal regulations.

Chairperson Siebenmann asked if these rules cover fiberglass operations.

Mr. Stokes stated that he is not sure but staff will check on it and provide the information to the Commission. He added that it would not appear to impact fiberglass operations.

Chairperson Siebenmann asked about the exemptions on Page 7, under "o," whether hospitals would be covered under that exemption.

Mr. Stokes stated that it will probably depend on whether a hospital is considered to be a commercial source. He added that he does not think it covers hospitals but he will clarify and provide the information to the Commission.

INFORMATIONAL ONLY

PROPOSED RULE--CHAPTER 31, SPECIAL PROVISIONS FOR SULFUR DIOXIDE EMISSIONS IN THE MUSCATINE AREA

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The U.S. Environmental Protection Agency has required the Department to prepare modifications to the State Implementation Plan (SIP) for air quality to address monitored violations of the National Ambient Air Quality Standards (NAAQS) for sulfur dioxide in the Muscatine, Iowa area. The department has been working with regulated industries in the Muscatine area to determine and implement appropriate measures to ensure continued compliance with the NAAQS in Muscatine. It is also necessary to adopt a new rule specifically addressing emission reductions from certain sources in the area.

Attached is a proposed rule to limit the impact of sulfur dioxide on ambient air in the Muscatine area.

This Notice is being provided to the Commission for information only at this time. The Commission will be asked to approve a Notice of Intended Action to begin formal rule making at their May meeting.

ENVIRONMENTAL PROTECTION COMMISSION [567] Notice of Intended Action

Pursuant to the authority of Iowa Code section 455B.133, the Environmental Protection Commission hereby gives Notice of Intended Action to amend Chapter 31, "Nonattainment Areas," 567 Iowa Administrative Code. The amendment will add a new rule to restrict the emission of sulfur dioxide from certain sources located in the city of Muscatine. The intent of the rule is to maintain the National Ambient Air Quality Standards for sulfur dioxide in the area.

Any person may make written sugge	estions or comments on the pr	roposed rules on	or before
	ments should be directed to		
Department of Natural Resources, W	Vallace State Office Building,	900 East Grand	d Avenue, Des
Moines, Iowa 50319-0034, FAX (515			
A public hearing will be held on	at	in	, at
which time comments may be submit			

Any persons who intend to attend a public hearing and have special requirements, such as hearing or mobility impairments, should contact the Department of Natural Resources to advise the Department of any specific needs.

These rules may impact small businesses.

These rules are intended to implement Iowa Code section 455B.133.

The following rules are proposed:

ITEM 1. Add the following new rule 567--31.3 (455B):

567--31.3(455B) Special provisions for sulfur dioxide emissions in the City of Muscatine, Iowa.

- 31.3(1) Muscatine Power and Water sulfur dioxide emission standards, monitoring and record keeping. The Muscatine Power and Water plant located in the City of Muscatine, Muscatine County, Iowa, shall not allow the combined sulfur dioxide emissions from boilers 7 and 8 to exceed a 24-hour, calendar day average of 2,772 lbs/hour. A continuous sulfur dioxide emissions monitor and a flow monitor shall be properly installed, certified, maintained, and operated in the stack through which boiler 7 emits exhaust gases. Emissions and flow data from these monitors shall be reported to the Department as required in 567-25.1(6), IAC, and shall, with the data from the monitor located in the stack which serves unit 8, be used to determine compliance with the emission limits in this rule. Records shall be maintained as required in 567--25.1(5), IAC.
- **31.3(2)** Grain Processing Corporation sulfur dioxide emission standards, monitoring and record keeping. The Grain Processing Corporation plant located in the City of Muscatine, Muscatine County, Iowa, shall not allow the combined sulfur dioxide emissions from boilers 1, 2, 3, 4, 6, and 7, to exceed a 24-hour, calendar day average of 3,915 lbs/hour. The discharge point of the stack through which these boilers emit exhaust gases shall be a minimum of 219 feet in height above the ground level at the base of the stack. A continuous sulfur dioxide emissions monitor and a flow monitor shall be properly installed, certified, maintained, and operated in the stack through which these boilers emit exhaust gases. Emissions and flow data from these monitors shall be reported to the Department as required in 567-25.1(6), IAC, and shall be used to determine compliance with emission limits established in this rule. Records shall be maintained as required in 567--25.1(5), IAC.

The discharge point of the stack, through which germ dryers 1 and 2 emit exhaust gases, shall be a minimum of 94 feet above ground level. The discharge point of the stack, through which germ dryer 3 emits exhaust gases, shall be a minimum of 84 feet above ground level. The discharge point of the stack through which germ dryer 4 emits exhaust gases shall be a minimum of 74 feet above ground level.

31.3(3) Contingency plans. In the event a violation of the National Ambient Air Quality Standards for sulfur dioxide is recorded by an ambient air monitor and the Department determines the violation is attributable to sulfur dioxide sources located at Grain Processing Corporation and Muscatine Power & Water, one of the following contingency plans shall be adopted by these entities. Complete and valid permit applications for the changes necessary to implement one of the following plans shall be submitted by these entities within 3 months of the violation. These changes shall be implemented within 12 months of the issuance of the permits by the Department.

a. Contingency plan A.

- (1) Grain Processing Corporation shall not allow the combined sulfur dioxide emissions from boilers 1,2,3,4,6, and 7 to exceed a 24-hour, calendar day average of 2892 lbs/hour. Total sulfur dioxide emissions shall not be allowed to exceed a 24-hour, calendar day average of 43.2 lbs/hour for all sulfur dioxide sources at the facility other than boilers at the Grain Processing Corporation facility in Muscatine.
- (2) Muscatine Power and Water shall not allow the combined sulfur dioxide emissions from boilers 7 and 8 to exceed a 24-hour, calendar day average of 2275 lbs/hour. Sulfur dioxide emissions from boiler 9 shall not be allowed to exceed a 24-hour, calendar day average of 255 lbs/hour.

b. Contingency plan B.

- (1) Grain Processing Corporation shall not allow the combined sulfur dioxide emissions from boilers 1, 2, 3, 4, 6, and 7 to exceed a 24-hour, calendar day average of 3850 lbs/hour. The discharge point of the stack through which these boiler emit exhaust gases shall be a minimum of 270 feet in height above the ground level at the base of the stack.
- (2) Muscatine Power and Water shall not allow the combined sulfur dioxide emissions from boilers 7 and 8 to exceed a 24-hour, calendar day average of 1050 lbs/hour.

c. Contingency plan C.

- (1) Grain Processing Corporation shall not allow the combined sulfur dioxide emissions from boilers 1, 2, 3, 4, 6, and 7 to exceed a 24-hour, calendar day average of 3700 lbs/hour. The discharge point of the stack through which these boilers emit exhaust gases shall be a minimum of 270 feet in height above the ground level at the base of the stack.
- (2) Muscatine Power and Water shall not allow the combined sulfur dioxide emissions from boilers 7 and 8 to exceed a 24-hour, calendar day average of 1700 lbs/hour. The discharge point(s) of the stack(s) through which these boilers emit exhaust gases shall be a minimum of 310 feet in height above the ground level at the base(s) of the stack(s).

d. Contingency plan D.

- (1) Grain Processing Corporation shall not allow the combined sulfur dioxide emissions from boilers 1, 2, 3, 4, 6, and 7 to exceed a 24-hour, calendar day average of 3450 lbs/hour. The discharge point of the stack through which these boilers emit exhaust gases shall be a minimum of 270 feet in height above the ground level at the base of the stack. Total sulfur dioxide emissions shall not be allowed to exceed a 24-hour, calendar day average of 45.6 lbs/hour for all sulfur dioxide sources other than boilers at the Grain Processing Corporation facility in Muscatine.
- (2) Muscatine Power and Water shall not allow the combined sulfur dioxide emissions from boilers 7 and 8 to exceed a 24-hour, calendar day average of 1780 lbs/hour.

e. Contingency plan E.

- (1) Grain Processing Corporation shall not allow the combined sulfur dioxide emissions from boilers 1, 2, 3, 4, 6, and 7 to exceed a 24-hour, calendar day average of 2875 lbs/hour. Total sulfur dioxide emissions shall not be allowed to exceed a 24-hour, calendar day average of 43.2 lbs/hour for all sulfur dioxide sources other than boilers at the Grain Processing Corporation facility in Muscatine.
- (2) Muscatine Power and Water shall not allow the combined sulfur dioxide emissions from boilers 7 and 8 to exceed a 24-hour, calendar day average of 1600 lbs/hour.

Mr. Stokes reviewed that EPA had designated a small area in Muscatine as nonattainment with the ambient air quality standards as a result of some monitored violations going back a number of years. The department has been working with three main industries in the area that are large

emitters to correct the situation. One source came forward with a plan for emission reductions and changes. The department continued to work with the other two industries having more complex problems, and they have now submitted fully acceptable, good plans for emission reductions as well as measures to enhance dispersion of pollutants that will address any future air quality problems. The department, in order to get the area designated back to attainment, has to incorporate the changes in the two facilities into a SIP revision. EPA informed staff that one mechanism to do that would be through some sort of court decree or formal rulemaking action through the Commission. Following further study, staff found another option to take would be through modification of permits. Mr. Stokes related that this would be a much better and easier way to address the problem. He stated that this item will not come back as a rule because it will be handled through the permit modification procedure. In order to have the area designated as attainment status it needs to be demonstrated, through monitoring data, that the ambient air quality is in compliance. Mr. Stokes related that there has not been a monitored violation in the area for quite some time.

INFORMATIONAL ONLY

PROPOSED CONTESTED CASE DECISION--JAY ANDERBERG AND DIANE MCKELLIP

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

On August 2, 1994, the department issued Administrative Order No. 94-UT-32 to Jay Anderberg and Diane McKellip. That action required the parties to properly close underground storage tanks. That action was appealed by the parties, and the matter proceeded to administrative hearing on January 5, 1995. The Administrative Law Judge issued the attached Proposed Findings of Fact, Conclusions of Law, and Order on March 17, 1995. The decision affirms the Order.

Either party may appeal the Proposed Decision to the Commission. In the absence of an appeal, the Commission may decide on its own motion to review the Proposed Decision. If there is no appeal or review of the Proposed Decision, it automatically becomes the final decision of the Commission.

Mr. Murphy reviewed the history of this case involving a UST site which was never properly closed.

The Commission took no action; this has the effect of upholding the ALJ decision in the absence of an appeal.

ALJ DECISION UPHELD

Following lunch break, Mr. Stokes referring back to several questions asked by Chairperson Siebenmann, stated that the rules for Standards for Hazardous Air Pollutants do not specifically address the fiberglass industry. He related that EPA is working on a set of rules that will specifically deal with the fiberglass industry as a source category. Mr. Stokes reported that the Item "o" rule exemptions do not apply to most hospitals. Generally, if the usage of ethylene oxide is under one ton per year there are no controlled provisions or record keeping requirements. If it is between one to ten tons per year there are some control requirements and some record keeping. If usage is over ten tons per year it would be considered a regular source and would have full coverage under the regulations. It would be unlikely that a hospital would use more than a ton per year.

LEGISLATION UPDATE

Director Wilson reviewed the following legislative bills and presented the current status of each.

- Air Toxics Temporary Fee Repealed
- Appropriations, House Version of DALS/DNR
- Beverage Container Deposit
- Environmental Audit Privileges
- Garbage Bags Content
- General Permits Land and Water
- Infectious Wastes
- Livestock, the Major Bill
- LUST Marketability, etc.
- Pesticides, Reduces Notification
- Solid Waste Tonnage Fees
- Solid Waste Flow Control
- Waste Treatment, Use Fees to Pay SRF
- Water, Drinking, Use of Water Fees
- Well Private Rural, Reallocation

Director Wilson stated that Don Paulin and Jim Brown have been tracking 156 bills during the session and those listed above are still being closely watched.

GENERAL DISCUSSION

Rozanne King requested that Teresa Hay provide comments in reference to Page 19 of the March meeting minutes, in regard to Dick Thornton's comments about the universal waste rule.

Director Wilson distributed copies of a tour the Commission could take in conjunction with the June Commission meeting. The meeting will be on Monday, June 19, and the tour will be the following day. The Commission will tour Organic Technologies in Warren County, Hy-Line International in Dallas County, and the King Feedlot in Boone County. Mr. Wilson indicated

that the Commission could possibly visit a local tire recycler following the meeting on Monday afternoon, if time provides.

Terrance Townsend asked about the status of the Title V Air Program.

Mr. Stokes reported that letters have been sent to three environmental engineers offering the positions, and one engineer in the Solid Waste Bureau is transferring to the air quality program. He related that staff is in the process of interviewing for two Environmental Specialists in the air program.

Commissioner Townsend stated that he would like a status update at the next meeting.

COMMISSIONER RECOGNITION

Charlotte Mohr presented Nancylee Siebenmann and Clark Yeager with a plaque in honor of their service to the Commission. On behalf of the Commission, she expressed appreciation and thanked them for their dedication and expertise to the environment. Commissioner Mohr noted that great accomplishments have taken place under Nancylee Siebenmann's leadership. She expressed best wishes to both Commissioners.

Chairperson Siebenmann thanked the department and staff for their support and cooperation over the years. She expressed appreciation to the director and staff for the expertise they have to offer. She stated that she feels the future will hold a much greater challenge to the Commission for reasonableness in regulation and proof of cost benefit, and she urged them not to let down their guard. Chairperson Siebenmann stated that she will miss all of the Commissioners and added that everyone has been very congenial, committed, and dedicated to working well together even in times of disagreement.

ADDRESS ITEMS FOR NEXT MEETING

Director Wilson stated that the format for the May meeting will be to have the Secretary open the meeting, approve the agenda, and then hold election of officers.

NEXT MEETING DATES

May 15, 1995 June 19, 1995 July 17, 1995

ADJOURNMENT

With no further business to come before the Environmental Protection Commission, Chairperson Siebenmann adjourned the meeting at 1:55 p.m., Monday, April 17, 1995.

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